

Subcommittee Report  
Quality Management Examination (FY2018)

April 2019

Subcommittee on Examination Quality Management

Intellectual Property Committee

Industrial Structure Council

## Introduction

The subcommittee was established under the Intellectual Property Committee of the Industrial Structure Council in August 2014. Their purpose is to provide recommendations for improvements to quality management concerning examinations of patents, designs, and trademarks through verification and evaluation of the implementation system and the implementation status of quality management, i.e., the subcommittee verifies and evaluates whether or not policies and procedures of quality management including quality policies or other necessary manuals have been properly defined. Further, they are also responsible to ensure that quality management has been properly established and implemented in compliance with the required policies and procedures.

Globalization of business and R&D activities by Japanese companies has necessitated examination results produced by the JPO to be highly evaluated from abroad. This has led a more efficient IP rights attainment process in the world. It has also become necessary to improve predictability of businesses utilizing the industrial property rights system to help prevent disputes. In order to satisfy these needs, it is crucial to maintain and improve the level of quality of examinations on which industrial property rights are based.

In response to these new requirements, JPO formulated and announced its *Quality Policy* for "robust, broad, and valuable establishment of rights" in FY2014. Based on this, JPO has established a quality management system across all examinations departments so that patent, design and trademark examinations can be conducted in compliance with the *Quality Policy*. In order for the quality management system to work effectively for maintaining and improving the quality of examinations, it is important to effectively operate a PDCA cycle, which is a quality management method adopted by JPO as its internal initiative for examination quality improvement and to continuously improve the examination process quality.

Aiming to realize the world's leading quality management by reflecting objective evaluations and improvement recommendations from external experts on such internal efforts of the JPO, the Subcommittee verified and evaluated the implementation system/ the implementation status of the quality management conducted by the JPO in FY2018, according to the evaluation items and criteria established for examination quality management in FY2014, and then considered on what needed to be improved.

Subcommittee on Examination Quality Management  
Intellectual Property Committee under Industrial Structure Council  
Past Meetings

1st Subcommittee Meeting                      February 18, 2019

Agenda:

1. Members' evaluations of the implementation system and implementation status of examination quality management
2. Improvement recommendations of the implementation system and implementation status of examination quality management

2nd Subcommittee Meeting                      March 22, 2019

Agenda:

1. The FY2018 Report of the Subcommittee on Examination Quality Management (Draft)

**Subcommittee on Examination Quality Management under the Intellectual  
Property Committee of the Industrial Structure Council**

List of Members

Chairperson	Hidetaka Aizawa	Professor, Department of Law, Faculty of Law, Musashino University
	Setsuko Asami	Professor, Tokyo University of Science
	Masahiro Asami	President, Japan Intellectual Property Association
	Toshiaki Iimura	Attorney, YUASA and HARA
	Wataru Inoue	Economic News Editor, The Nikkan Kogyo Shimbun, Ltd.
	Sumiko Ohara	Patent Attorney, ITOH International Patent Office
	Kenichi Nagasawa	President, International Association for the Protection of Intellectual Property
	Takeshi Nakajo	Advisor, The Japanese Society for Quality Control / Professor, Chuo University
	Keiko Honda	Patent Attorney, Honda International Patent and Trademark Office
	Tomoko Watanabe	Patent Attorney, Watanabe Tomoko International Patent Office

(Titles omitted; listed in the Japanese syllabary order)

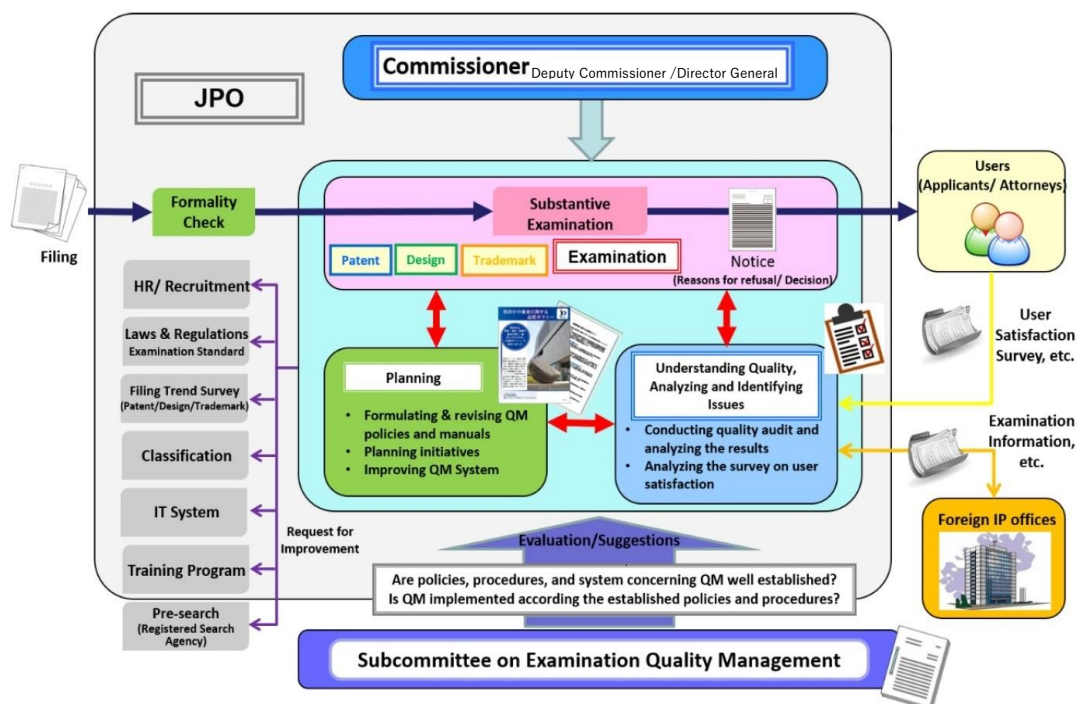
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## I. Initiatives for Quality Management

### I. Initiatives for Quality Management

The Japan Patent Office (JPO) quality management system is shown in the below figure.



**Overview of the JPO Quality Management System**

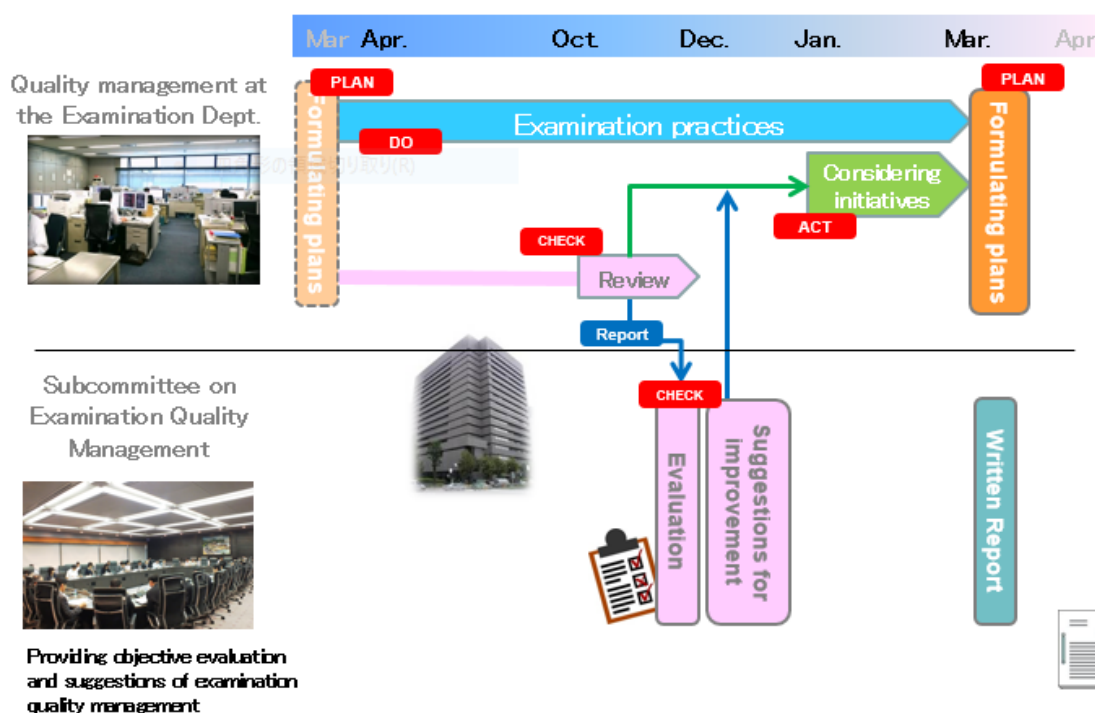
The Commissioner and the Deputy Commissioner are in charge of the maintenance and implementation of the quality management system (the Director General of the Trademark and Customer Relations Department is responsible for trademark matters, rather than the Deputy Commissioner). Quality management is carried out by the Examination Divisions that conduct substantive examinations, the Policy Planning and Coordination Department responsible for policy planning and makes proposals for quality management initiatives, and the Quality Management Office that analyzes and assesses quality all working collaboratively while maintaining separation of their own duties.

The Subcommittee on Examination Quality Management (hereinafter, the "Subcommittee") was established under the Intellectual Property Committee of the Industrial Structure Council in order to make recommendations for improvements to quality management in the JPO through verifications and evaluations of the implementation system and implementation status of quality management.

As shown below, the JPO uses self-regulating to effect continuous improvement of

## I. Initiatives for Quality Management

examination quality by following a PDCA cycle in performing its examination quality management process. Concurrently, the Subcommittee provides evaluations and recommendations for improvement in the implementation system and implementation status of quality management. Such evaluations and recommendations are reflected in the internal PDCA cycle of the JPO, which will contribute to enhance the overall improvement in examination quality.



### Relationship between internal quality management and the Subcommittee on Examination Quality Management

The JPO quality management system has been documented into the quality management manuals for Patent Examination, Design Examination, and Trademark Examination, and published on the website of the JPO.

The following are major initiatives implemented by the JPO based on improvement recommendations<sup>1</sup> made by the subcommittee in FY2017 in accordance with our quality management system and resulting factors.

<sup>1</sup> See pages 33 to 36 in the Report of the Subcommittee on Examination Quality Management  
[https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/document/index/subcom\\_report2017.pdf](https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/document/index/subcom_report2017.pdf)

## I. Initiatives for Quality Management (1. Patents)

### 1. Patents

#### **Recommendations for evaluation item (a): status of document creation**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the location of each document in the entire documentation system to include correlations among the documents that enables comparison among the four IP Acts (Patent Act, Utility Model Act, Design Act, and Trademark Act).

The objective and the initiative planned by the JPO based on this recommendation are as follows:

Objective: Easier access by system users to related documents.

- ✓ To create a list or table of the related documents so that users can compare the four IP Acts.

The initiative undertaken is as follows:

- ✓ A list of the related documents above was created and posted on the JPO website to show where each of them is positioned within the entire documentation system and how they correlate with one another, in a way that users can compare the four IP Acts.

The initiative resulted in enabling system users to more easily access related documents.

#### **Recommendations for evaluation items (d) and (e): Examination Implementation and Quality Management Systems**

- Promote enhancement of the examination implementation system and the quality management system so that rights, including those for new technology such as the fourth industrial revolution-related technology, are established appropriately for users (applicants and third parties).

The objective and initiatives based on this recommendation are as follows:

Objective: Improvement of examination implementation and quality management systems with Industry 4.0 technologies taken into consideration.

- ✓ To increase the number of examiners as a way to improve the speed and accuracy the examination system.
- ✓ To ensure that a quality management system is implemented, which will continuously



## I. Initiatives for Quality Management (1. Patents)

improve the quality of examinations.

- ✓ To continue consultations with examiners who are well-acquainted with and in charge of IoT inventions while these technologies are undergoing examination.
- ✓ To continuously train examiners allowing them to be more capable of examining AI and IoT technologies and by providing them with ongoing learning opportunities. Technical training sessions as well as in-house training courses should be considered as opportunities.
- ✓ To consider methods to provide feedback to and consult with examiners in charge of effective quality audits, in order to grant rights that have no grounds for invalidation.

The initiatives undertaken are as follows:

- ✓ An additional thirty-seven permanent examiners and 96 fixed-term examiners were hired to essentially maintain the patent examination system as before.
- ✓ Quality Management Officers (103 total) were appointed to maintain the necessary quality management system.
- ✓ Consultations continued to be carried out by examiners-in-charge who are well acquainted with IoT technologies (691 consultations between April and February).
- ✓ In-house training courses called "AI and IoT Courses" were developed and conducted to continuously foster human resources capable of dealing with examinations on AI- and IoT technologies. The courses are comprised of multiple technical sessions of the technologies mentioned above. Examiners were also sent to attend various outside seminars and academic conferences related to the technologies.
- ✓ Quality Management Officers are required to give examiners their audit results with a search history as part of their feedback.
- ✓ Expertise on conducting searches was shared in regard to selected international applications. Occasionally two consultations per application were held. The first, no later than end of a search. This is due to the fact that many opinions from searches in FY2017 were given during consultations on international searches for international applications.

The efforts made to develop human resources for Industry 4.0 technologies led to better examination implementation and quality management systems that are capable of managing new technologies. The initiatives implemented to improve consultations and quality audits also supported more appropriate granting of rights through these improved systems.

## **Recommendations for evaluation item (f): Initiatives to Improve Examination**

## I. Initiatives for Quality Management (1. Patents)

### Quality

- Promote the sharing of search aptitude among examiners for further maintaining and improving the quality of searches and enhance prior article searches through improvement of the search environment for searching foreign documents, etc. more efficiently.

The objective and initiatives based on this recommendation are as follows:

Objective: Improvement of foreign and other literature searches.

- ✓ To continue working on sharing search knowledge, including sharing by experienced examiners, in every technical field based on search guidelines for each technical field. This includes showing a minimum scope of search, points to be aware of, and others based on using a web portal designed to share knowledge of consultations and in-house examinations.
- ✓ To continue enhancing initiatives, search indexes, and other databases for the purpose of advancing the search framework and use of AI technology.
- ✓ To enable the system to be capable of searching patents and utility models for searches as well as to screen patent literature in the Chinese and Korean languages.

The initiatives undertaken are as follows:

- ✓ Expertise on conducting searches was shared in regard to selected international applications. Occasionally two consultations per application were held. The first, no later than end of a search. This is due to the fact that many opinions from searches in FY2017 were given during consultations on international searches for international applications.
- ✓ Search guidelines were utilized when, for example, new examiners in charge of a technical field begin examining applications quickly and can share with other examiners in charge of the same technical field the minimum necessary knowledge and various methods to search in the field. Knowledge of search methods in each technical field including experienced examiners was also shared, which was obtained from consultations and posted on internal web portal.
- ✓ Search guidelines for each technical field were provided to registered search organizations for the purpose of improving quality of outsourced searches.
- ✓ The patent and utility model search system contains full-text English to Japanese translations of US, EP and PCT patent literature which enables examiners to search and screen using their native Japanese.
- ✓ The patent literature accumulated in the Chinese and Korean document translation

## I. Initiatives for Quality Management (1. Patents)

and search system can be retrieved and screened in the patent and utility model search system.

- ✓ Foreign patent literature search was enhanced for maintaining and improving the quality of searches. (The percentage of examinations in which foreign patent literature searches were conducted was 1.8 times higher in FY2018 than in FY2014.)

Searches were improved by the efforts above to utilize the search guidelines and enhance the foreign literature search system.

- Steadily conduct high-quality examinations trusted by domestic and overseas users by promoting initiatives for quality assurance as well as continuously analyzing issues concerning consistency of judgments among examiners, etc.

The objective and the initiatives based on this recommendation are as follows:

Objective: Conduct highly consistent examinations trusted by users.

- ✓ To continue effort to increase judgment consistency among examiners (i.e. consultations and quality audits) and to analyze User Satisfaction Survey responses and other data in view of consistency.

The initiatives undertaken are as follows:

- ✓ A priority was set to implement initiatives for improving consistency of judgments among examiners. One example was requiring examiners to hold consultations on all IoT technologies. This is based on the results of the User Satisfaction Survey that showed the following: Even when the level of satisfaction in regard to consistency of judgments among examiners is improving, the average level of satisfaction was relatively low and the correlation with the overall level of satisfaction is high.
- ✓ A User Satisfaction Survey was conducted to identify issues with consistency of judgments among examiners. The JPO added a question asking respondents how satisfied or unsatisfied they are with consistency of judgments in terms of applicable articles. The survey found that respondents were dissatisfied with judgements on the inventive step and on the lack of descriptive requirements. These will be analyzed in detail.

Highly consistent examinations have been conducted as a result of the efforts described above to continuously implement initiatives such as consultations while the User Satisfaction Survey shows a year-by-year improvement in level of satisfaction with

## I. Initiatives for Quality Management (1. Patents)

consistency of judgments among examiners. Analyses also have been progressing on consistency-related issues.

- Continue enhancing communication with users via telephone, interviews, etc., and continue initiatives for effectively supporting local SMEs and other users to obtain patent rights, such as communication of information on on-site interview examinations and television interview examinations.

The objective and initiatives based on this recommendation are as follows:

Objective: Conduct examinations and provide support that are highly satisfactory to users such as companies, SMEs and others, to obtain patent rights.

- ✓ To conduct face-to-face, telephone, and online interviews as a part of the regional revitalization initiatives, taking efficiency into account.
- ✓ To continually inform users of how on-site and video-conferencing interviews are used through distribution of brochures, for example, at the Circuit Patent Office and various seminars.

The initiatives undertaken are as follows:

- ✓ Users were encouraged to avail themselves of on-site and video-conferencing interviews, the Circuit Patent Office, and various seminars. The JPO conducted 16,018 interviews via telephone and 3,653 interview examinations, out of which 1,050 were conducted either on user's site or online. The INPIT-KANSAI office conducted 442 on-site interview examinations from April to February.
- ✓ A user survey was started to evaluate interview examinations to determine user satisfaction. The users are given a questionnaire to complete so that the JPO can identify specific user needs.
- ✓ Accelerated examinations based on interview examinations for start-ups were initiated as a way to help start-ups acquire and use patent rights because start-ups operate at a faster business pace and have faster funding cycles. As of the end of February 2019, a total of 10 applications were filed. Conditions were changed in order to make it easier for start-ups to undergo super-accelerated examinations. As a result, 91 applications were examined as of the end of February 2019.

The efforts above resulted in the JPO's conducting the same number of interview examinations and using the same methods as in the previous fiscal year, leading to examinations that were highly satisfactory to applicants and other users. Also, users

## I. Initiatives for Quality Management (1. Patents)

such as companies and SMEs were given necessary support enabling them to obtain patent rights by conducting on-site interview examinations and accelerated examinations based on interviews for start-ups.

### **Recommendations for Evaluation Item (g): Initiatives for Quality Verification**

- Understand the wide-ranging needs of users, including overseas users and small-scale users, through exchanges of opinions, the user satisfaction survey, and other means.

The objective and the initiatives based on this recommendation are as follows:

Objective: Gain a better understanding of a wide range of user needs.

- ✓ To exchange opinions not only with large enterprises but also with SMEs and start-ups.
- ✓ To visit companies outside Japan to understand their needs.
- ✓ To continue conducting the User Satisfaction Survey targeting various users such as non-Japan residents and small-scale users.

The initiatives undertaken are as follows:

- ✓ The JPO expanded the target of opinion exchange meeting not only large enterprises but also SMEs, start-ups and, companies outside Japan. It contacted 377 companies from April to February.
- ✓ The number of respondents either living outside Japan or who were small-scale users was increased in the User Satisfaction Survey to understand various user needs. In the most recent survey, 141 overseas companies and 101 small-scale applicants were contacted in FY2018, as compared to 59 and 19, respectively, in FY2017.

A wider range of user needs were confirmed as a result of efforts made to contact a wider variety of users and to increase the number of overseas and small-scale users in the User Satisfaction Survey.

### **Recommendations for Evaluation Item (h): Examination Quality Analysis and Identification of Issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.

The objective and the initiative based on this recommendation are as follows:

## I. Initiatives for Quality Management (1. Patents)

Objective: Continuous improvement through evaluating the connection between initiatives and implementation results.

- ✓ To continuously make improvements while ensuring that the PDCA cycle is functioning appropriately. This will be achieved by evaluating the connection between initiatives implemented to improve quality management, such as consultations and quality audits, and the results obtained by having implemented the initiatives.

The initiatives undertaken are as follows:

- ✓ Expertise on conducting searches was shared in regard to some international applications. Sometimes two consultations per application were held. The first should be held before the end of a search, at the latest. This is because many opinions on searches were given in consultations in FY2017 on international searches for international applications.
- ✓ If the evaluation of the previous article searches conducted by registered search organizations depended on the results of audits of the quality of applications, the results were to be reflected in the evaluation.

The JPO has sought to continuously improve the evaluations of searches conducted by registered search organizations based on changing the format of PCT consultations and taking into consideration the results of audits on the quality and checking the searches in internal audits.

### **Recommendations of evaluation item (k): communication of information on initiatives for examination quality improvement**

- Continue creating easy-to-understand provisions for information detailing initiatives for quality management. Collecting information for initiatives covering quality management at overseas IP offices for the purpose of actively communicating information stating the JPO's initiatives for examination quality to domestic and overseas users and overseas IP offices.

The objective and the initiatives based on this recommendation are as follows:

Objective: Increase reliability of the JPO by making its quality management initiatives understood domestically and internationally.

- ✓ To communicate the JPO's initiatives on examination quality to overseas IP offices

## I. Initiatives for Quality Management (1. Patents)

and collect information from IP offices outside Japan that discusses their initiatives for quality management. This can be achieved through international meetings, examiner exchange programs, guidance on examination practice, and other opportunities.

- ✓ To continue discussions with companies, industry organizations, and other entities.
- ✓ To continue uploading information discussing quality-management initiatives on the JPO website and to reassess the website in FY2018 from the perspective of providing easier-to-understand information.
- ✓ To publish and disseminate the results of an analysis on the US-JP Collaborative Search Pilot Program Phase 1, on the JPO website and elsewhere, after all results are released.

The initiatives undertaken are as follows:

- ✓ The JPO's examination quality initiatives were communicated to Japan international IP offices at various international meetings<sup>2</sup>, during which time the JPO gathered information on quality-management from foreign IP offices.
- ✓ The JPO's initiatives for maintaining and improving examination quality were explained to the CNIPA during JPO examiner visits abroad and when the JPO received CNIPA examiners for their visits. In regard to the IP offices in Germany, Korea and Taiwan, this was done when receiving their examiners.
- ✓ Training exercises and seminars were conducted for the personnel at IP offices in emerging and ASEAN countries. The JPO revised what was taught in the seminars, and provided information to the trainees regarding our initiatives for maintaining and continuous improvement to examination quality.
- ✓ The JPO expanded the target of opinion exchange meeting not only large enterprises but also SMEs, start-ups and companies abroad. A total of 377 companies were from April to February.
- ✓ Quality management initiatives information is available on the JPO website and we continue to reassess our website so that we may provide more easily understood information.
- ✓ Results of an analysis on the US-JP Collaborative Search Pilot Program Phase 1 were published, along with detailed benefits of the program on the JPO website so that the benefits would be more readily known and available to users. The results were provided for examiners as feedback to improve the examination quality.

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<sup>2</sup> IP5 Heads and Users' Meetings, the 26th Meeting of International Authorities under the Patent Cooperation Treaty (PCT/MIA) and the 9<sup>th</sup> informal meeting of the Quality Subgroup, etc.

## I. Initiatives for Quality Management (2. Designs)

The reliability of the quality of the JPO's patent examinations increased in line with our dissemination of information of our quality management initiatives domestically and internationally. This is the result of the JPO's efforts to continue gathering information on initiatives for quality management at international conferences and in sending and welcoming examiners, for example.

### 2. Designs

#### **Recommendations for Evaluation Item (a): Status of Document Creation**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the location of each document in the entire documentation system to include correlations among the documents that enables comparison among the four IP Acts (Patent Act, Utility Model Act, Design Act, and Trademark Act).

The objective and the initiative based on this recommendation are as follows:

Objective: Easier access by system users to the related documents.

- ✓ To create a list or table of the related documents so that users can compare the four IP Acts.

The initiative undertaken is as follows:

- ✓ A list of the related documents above was created and posted on the JPO website to show where each is positioned within the entire documentation system and how they correlate with one another, in a way that users can compare the four IP Acts.

The effort to create the list of the related documents above resulted in easier access by system users to the related documents.

#### **Recommendations for Evaluation Items (d) and (e): Examination Implementation and Quality Management Systems**

- Promote enhancement of the examination implementation system and the quality management system to implement improvements that allow efficient and appropriate examinations.

The objective and the initiatives based on this recommendation are as follows:



## I. Initiatives for Quality Management (2. Designs)

Objective: Improve examination implementation and quality management systems.

- ✓ To establish an examination implementation system that facilitates an efficient and appropriate design examinations.
- ✓ To consider ways to give examiners in charge feedback, to effect efficient quality audits.

The initiatives undertaken are as follows:

- ✓ Two design examiners were employed to maintain and enhance the examination system.
- ✓ Approvers get feedback on audit results from Quality Management Officers by the next day, after the audit has been completed. This enables in-house consultation and time to consider prompt re-drafting, when necessary.

The efforts to employ the design examiners resulted in maintaining the examination implementation system for efficient and appropriate design examinations. Increased audit efficiency also helped improve examination implementation and quality management systems.

### **Recommendations for Evaluation Item (f): Initiatives for Quality Improvement**

- Improve the examination system to further maintain and improve examination quality.  
The objective and the initiatives based on this recommendation are as follows:

Objective: Maintain and improve the quality of examinations on international applications under Article 1(vii) of the Geneva Act of the Hague Agreement concerning the International Registration of Industrial Designs, hereinafter referred to as "Hague applications", by enhancing the examination system for The Hague applications.

- ✓ To analyze and resolve issues with drafting, or already drafted, notices regarding Hague applications.
- ✓ To share further knowledge of examination practices required by The Hague system inaugurated three years ago.
- ✓ To review and improve what is taught in training sessions, in order to maintain and enhance quality management.

The initiatives undertaken are as follows:

## I. Initiatives for Quality Management (2. Designs)

- ✓ The content of and procedures for writing draft consultation orders for Hague applications were improved, by revising the reasons to be paired and selected properly.
- ✓ The check sheet for drafting notices for Hague applications was updated, which included improved practices.
- ✓ Some examiners in the Examination Divisions began using a software application that where information can be accessed and stored regarding how to draft notices for applications. In the application, examiners can search for information on drafting through conducting searches by Japanese Classification for Industrial Designs, notification type, and character string in English and Japanese.
- ✓ The Examination Guidelines for Designs were revised and released, based on the identification of designs (e.g. handling of statements in applications and drawings, a clearer *one application per design* concept), taking international harmony into consideration.
- ✓ Newly appointed approvers at the management level shared points to keep in mind when giving approvals, in order to keep approvals consistent.

High-quality examinations of Hague applications resulted from the efforts above to improve the drafting of application notices and establishing a framework to share information on drafting and approvals, as well as to streamline the examination system.

- Continuously conduct high-quality examinations trusted by domestic and international users by promoting initiatives for quality improvement as well as analyzing issues concerning the level of expert knowledge of design examiners in the user satisfaction survey.

The objective and initiatives based on this recommendation are as follows:

Objective: Conduct examinations trusted by users, by improving the level of expertise of design examiners.

- ✓ To implement initiatives enabling design examiners to acquire extensive knowledge of the goods in their assigned fields, including their trading conditions and where they are created, so that the examiners can identify designs accurately.
- ✓ To enhance examiners' expertise based on utilizing the initiatives mentioned above, particularly for those transferred or assigned to new fields, and to encourage examiners to share their wealth of knowledge and expertise.

## I. Initiatives for Quality Management (2. Designs)

The initiatives undertaken are as follows:

- ✓ Design examiners visited applicant companies to acquire knowledge of the goods in their assigned fields, including knowledge of how the goods are traded and where they are created. They also discussed with and collected information from the management of the companies. Furthermore, they expanded their ability to identify designs by visiting 95 exhibitions, academic conferences, symposia, seminars, et al, by the end of February 2019. They were also able to obtain information such as trends in designs in their assigned fields.
- ✓ Examiners who were transferred or assigned to a new field were given more opportunities to gain expertise by visiting and interviewing companies.
- ✓ Records have always been accumulated on the assumption of future personnel changes by developing definitions as per the Japanese Classification for Industrial Designs and creating records of each application, as appropriate, for handover processes. Some examination divisions sought to accumulate and share information on drafting notices for The Hague applications.

Examiners' expertise was enhanced through the efforts to gain a broad knowledge of how goods are traded and where they are created. In addition, additional knowledge has been shared as a result of developing a system to gather drafting information.

- Continue enhancing communication with users via telephone, interviews, etc. and continue initiatives for effectively supporting local SMEs and other users to obtain design rights, such as communication of information for on-site interview examinations and television interview examinations.

The objective and the initiatives based on this recommendation are as follows:

Objective: Continuously conduct examinations that are considered highly satisfactory by applicants and other users.

- ✓ To conduct interviews and telephone calls, as well as on-site and video-conferencing interviews as a part of the regional revitalization initiatives, while also observing examination efficiency.
- ✓ To keep users up to date via on-site and video-conferencing interviews, for example, when visiting companies.

The initiatives undertaken are as follows:

## I. Initiatives for Quality Management (2. Designs)

- ✓ There were 3,012 telephone contacts and 294 interview examinations out of which 83 examinations were conducted on-user's site or online (as of the end of February 2019).
- ✓ The JPO introduced user's site interview and online interview on occasion of company visits, the Circuit Patent Office and various seminars.

The efforts above resulted in interview examinations being conducted in the same length and way as those in the last fiscal year, leading to examinations that were highly satisfactory to applicants and other users. Also, users such as local companies and SMEs were given ample support to obtain design rights by making use of on-site and video-conferencing interview examinations.

### **Recommendations for Evaluation Item (g): Initiatives for Quality Verification**

- Promote enhancement of initiatives for quality management, including quality audit corresponding to examinations of Hague applications.

The objective and the initiative based on this recommendation are as follows:

Objective: Enhance audits of the quality of Hague applications.

- ✓ To expand trial quality audits of Hague applications.

The initiatives undertaken are as follows:

- ✓ Audits of quality began to include non-first actions.
- ✓ The scope of trial audits was expanded to include checking procedures and judgments in examinations.
- ✓ The Examination Guidelines on Designs were revised, with examination practices conducted according to the revised guidelines.
- ✓ Examples of notices for Hague applications were updated.

Audits on quality audits were further enhanced by increasing the number of Hague applications to be audited and by improving the environment for conducting audits.

- Understand the wide-ranging needs of users, including international users and small-scale users, through exchanges of opinions, the user satisfaction survey, and other means, to hear users' opinions more accurately.

The objective and the initiatives based on this recommendation are as follows:

## I. Initiatives for Quality Management (2. Designs)

Objective: Gain a better understanding of the wide-ranging needs of users.

- ✓ To hold discussions to include large companies, SMEs and start-ups.
- ✓ To include more users who participate in the User Satisfaction Survey, such as users outside Japan and small-scale users.

The initiatives undertaken are as follows:

- ✓ Measures and initiatives by the JPO were implemented by contacting user companies such as small-scale users.
- ✓ Efforts were made to grasp a wide range of needs from the respondents in the User Satisfaction Survey, including users outside Japan and at 62 SMEs.

The JPO came to understand a wide range of user needs through conducting the efforts above, contacting a greater number of user companies and having users outside Japan and small-scale users take the User Satisfaction Survey.

### **Recommendations for Evaluation Item (h): Examination Quality Analysis and Identification of Issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.

The objective and the initiatives based on this recommendation are as follows:

Objective: Achieve continuous improvement through evaluating the relationship between initiatives and initiative implementation results.

- ✓ To conduct continuous improvement while ensuring that a PDCA cycle is effectively functioning through evaluating the relation between initiatives for quality management, such as consultations and quality audits, and results obtained from the initiatives.

The initiatives undertaken are as follows:

- ✓ Audits were conducted on drafting issues which, due to changes in consultation orders during this fiscal year, tend to arise in examination practices related to Hague applications after considering measures to resolve issues obtained from quality management initiatives and developing a system to focus on audits.

## I. Initiatives for Quality Management (2. Designs)

- ✓ Audits of documents of first action (FA) results started in FY 2017 and the scope of drafted documents to be audited expanded in FY 2018 to non-FA documents.
- ✓ A track record has been established in relation to the drafting of notification documents for Hague applications and in FY 2018 consultations will continue on all Hague applications to analyze the content to identify issues in audits for the purpose of improving the method of analysis.

Continuous improvement was achieved through the efforts above to identify issues with regard to the drafting of notification documents, the consideration given to resolving them, then selecting focus items to be audited and finally auditing the items for both Hague applications and regular audits.

### **Recommendations of Evaluation Item (k): Communication of Information on Initiatives for Examination Quality Improvement**

- Continue considering easy-to-understand provision of information on initiatives for quality management and collecting information on initiatives for quality management at overseas IP offices in actively communicating information on the JPO's initiatives for examination quality to domestic and overseas users and overseas IP offices.

The objective and initiatives based on this recommendation are as follows:

Objective: Increase reliability of the JPO by making its quality management understood both domestically and internationally.

- ✓ To communicate the JPO's initiatives for maintaining and improving examination quality to overseas IP offices through international meetings, examiner exchange programs, guidance for examination practices, and other opportunities, as well as to collect initiatives information at international IP offices for quality management.
- ✓ To continue exchanges of opinions with companies, industry organizations, and other entities.
- ✓ To continue providing initiatives information for quality management on the JPO website and review the website in FY2018 for the purpose of simplifying the language and instructions.

The initiatives undertaken are as follows:

- ✓ At the 4th Industrial Design 5 Forum (ID5) Annual Meeting, a cooperation project for research of quality audits was adopted as a new initiative for international

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coordination. It was also decided that JPO examiners will exchange views with their counterparts at the Taiwan Intellectual Property Office.

- ✓ Discussions were held with companies, industry organizations, and other entities to promote measures and initiatives effected by the JPO.
- ✓ Quality management initiatives information has been made available on the JPO website and is routinely reviewed for the purpose of simplifying language and instructions.

Design examination quality reliability at the JPO has significantly improved due to the continual collection of related information at international conferences and in dispatching examiners as well as encouraging and accepting visiting foreign examiners.

### 3. Trademarks

#### **Recommendations for Evaluation Item (a): Status of Document Creation**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the positioning of each document in the whole documentation system and the correlations among the documents and enables comparison among the four IP Acts (Patent Act, Utility Model Act, Design Act, and Trademark Act).

The objective and the initiatives based on this recommendation are as follows:

Objective: Easier access by system users to the related documents.

- ✓ To create a list or table for related documents in a manner to compare the four IP Acts.

The initiative undertaken is as follows:

- ✓ A list of the related documents above was created and posted on the JPO website to show where each is located within the documentation system and how they correlate with one another, in such a manner as to allow easy comparison with the four IP Acts.

The effort to create the related documents list discussed above resulted in easier access by system users.

#### **Recommendations for Evaluation Items (d): Examination Implementation System**

- Employ an appropriate number of examiners to help enhance examiner development.

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The objective and the initiatives based on this recommendation are as follows:

Objective: Enhance examiner training and examination implementation system.

- ✓ To increase the number of examiners for improving and enhancing the examination implementation system.
- ✓ To ensure that the quality management system works for continuous improvement of examination quality.
- ✓ To train examiners according to their ranks based on the FY 2018 training plan.

The initiatives undertaken are as follows:

- ✓ Twelve examiners were newly employed for improving and enhancing the examination implementation system.
- ✓ Eight examiners with years of experience were reemployed this fiscal year so that they can continue working on examinations.
- ✓ Eleven Quality Management Officers were secured to ensure that the quality management system works.
- ✓ Training for capacity building was provided to examiners according to their ranks and years of experience based on a training plan.

The examination implementation system was enhanced for rights to be granted appropriately as a result of securing the appropriate number of examiners and Quality Management Officers and building their capacity through training based on the training plan.

- Enhance the examination implementation system regarding examination of non-traditional trademarks and thoroughly implement examination practices.

The objective and the initiatives based on this recommendation are as follows:

Objective: Enhance non-traditional trademark examination implementation system and thoroughly implement examination practices.

- ✓ To train examiners to be capable of handling non-traditional trademark examinations by sharing examination knowledge.
- ✓ To revise the Examination Manual to include non-traditional trademarks, such as "motion trademarks", "hologram trademarks", "color trademarks", "sound trademarks", and "position trademarks", then publish the revised manual.
- ✓ To facilitate information sharing among examiners by accumulating cases of



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examinations of non-traditional trademarks, as well as through active consultations among examiners including those at the management level.

The initiatives undertaken are as follows:

- ✓ Each Examination Division successfully develop human resources that are capable of handling examinations by designating examiners in charge of non-traditional trademarks, encouraging them to share examination knowledge accumulated according to the types of trademarks including “sound” and ”motion,” and then reassigning examiners in charge on a regular basis. The Examination Manual was also revised based on the accumulated examination knowledge, with added sections about each type of non-traditional trademarks.
- ✓ Regular arrangements were made for active consultations on non-traditional trademark examinations among examiners including those at the management level, lists of the consultation results (cases of examinations) were created and information accumulated in the lists was shared among examiners.

The implementation system for non-traditional trademark examinations was enhanced and thorough examination practices were implemented through the efforts to increase examination efficiency and accumulate examination knowledge. This was accomplished by designating examiners in charge and utilizing consultations effectively, as well as to continuously train examiners for non-traditional trademark examinations by cycling examiners through the ‘in charge’ position and sharing examination knowledge among all examiners.

- Establish a sufficient examination implementation system capable of internationalization amid changes in the international business environment, in particular, rapid changes in the environment for business with Asian countries.

The objective and the initiatives based on this recommendation are as follows:

Objective: Establish internationalization capable examination implementation system.

- ✓ To train examiners by providing training programs, such as language training and study abroad programs, to improve our internationalization capability based on the FY 2018 training plan.
- ✓ To develop examiners and an examination system to be capable of internationalization through bilateral Experts' Meetings with overseas IP offices, including the EUIPO, the KIPO, and the TIPO, dispatching examiners to the USPTO

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and dispatching experts to overseas IP offices.

The initiatives undertaken are as follows:

- ✓ Based on our training plan, various training programs were provided to examiners to improve internationalization capability, including online and on-site language courses, language study abroad programs and dispatches of examiners to universities abroad (one examiner per university).
- ✓ Examiners and an examination system were developed enhance internationalization capability through bilateral experts' meetings with overseas IP offices, including the EUIPO, the KIPO, and the TIPO, dispatching examiners to the USPTO and dispatching experts to IP offices in Indonesia and Brazil.

The efforts mentioned above resulted in developing an examination system capable of internationalization as various measures were taken for examiners to experience their work in an international environment, including language training and study abroad programs, experts' meetings with overseas IP offices and dispatching examiners.

### **Recommendations for Evaluation Item (f): Initiatives for Quality Improvement**

- Improve the system for improvement of examination quality.

The objective and the initiatives based on this recommendation are as follows:

Objective: Improve examination quality by streamlining the system.

- ✓ To promote development of peripheral systems for trademark examinations to improve examination quality and streamline the system.

The initiatives undertaken are as follows:

- ✓ To promote efficiency and quality of examinations of ambiguous goods and services, the examination system was updated to organize and show goods and services that were registered and rejected.
- ✓ Development of a system that improves search processing capacity was considered to improve examination quality and efficiency as time for searches has been increasing due to an enormous amount of accumulated data on goods and services.

Examination efficiency and quality were improved by the update of the examination system. The system was also facilitated as a result of enhancing system development to improve search processing capacity.

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- Review the Examination Guidelines for Trademarks (including other examination materials) on the basis of changes in social conditions and users' needs.

The objective and the initiatives based on this recommendation are as follows:

Objective: Meet changes in social conditions and users' needs.

- ✓ To improve the Examination Guidelines for Trademarks (handling of trademarks for retail and wholesale services, of era names, etc.) based on changes in social conditions and users' needs.
- ✓ To exchange opinions proactively with companies and industry organizations to understand users' needs and identify issues.

The initiatives undertaken are as follows:

- ✓ The Examination Guidelines for Trademarks were revised in terms of “distinctiveness” and “era names” among others, based on users’ needs for the Guidelines and changes in social conditions.
- ✓ Opinion exchange meeting were carried out with various companies and industry organizations to understand users' needs and identify issues in current examinations (a total of 61 times from April through February).

The efforts above facilitated meeting changes in social conditions and users' needs as the Examination Guidelines for Trademarks were revised based on social conditions such as the change of the era name and on users’ needs obtained from exchanges of opinions with various companies and industry organizations.

- Secure the appropriateness of examinations through feedback of rulings.

The objective and the initiatives based on this recommendation are as follows:

Objective: Conduct appropriate examinations based on judgements and decisions.

- ✓ For the examinations departments and the Trials and Appeals Department to meet frequently to exchange opinions.
- ✓ To list main points of revocation decisions in opposition cases, analyze factors or causes of discrepancies in decisions between examinations and appeals, and share the results within the examinations departments.
- ✓ To analyze appropriateness of examinations in appeals against decisions of refusal,

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then exchange opinions between the examinations departments and the Trials and Appeals Department, and share the results within the examinations departments.

The initiatives undertaken are as follows:

- ✓ The examinations departments and the Trials and Appeals Department held meetings to exchange opinions on the overall processing policy in the first half of the fiscal year. In the latter half, the issue of discrepancies in decisions between examinations and appeals was analyzed in detail, using feedback memos exchanged with the Trials and Appeals Department, opinions were exchanged on the analysis results, and information was shared within the Examinations Departments on the processing policy and other subjects agreed at the meetings.
- ✓ Main points of revocation decisions in opposition cases were listed, factors or causes of discrepancies were analyzed in decisions between examinations and appeals, and the results compiled in reports were shared within the examinations departments. The entire examinations departments also shared information on a list of cases for cancellation of opposition sent by the Trial and Appeal Department every month and set up consultations, where appropriate, with examiners at the management level to examine the information.

The efforts above resulted in continuous implementation of examinations consistent with judgements and decisions, even when the User Satisfaction Survey shows that the level of satisfaction with consistency with judgements and decisions has been increasing year by year, as initiatives were undertaken continuously, such as exchanges of opinions between the examinations departments and the Trials and Appeals Department, information sharing in the examinations departments, and consultations.

- Confirm consistency of judgments concerning the distinctiveness and similarity of trademarks.

The objective and the initiatives based on this recommendation are as follows:

Objective: Conduct examinations with consistent judgments concerning distinctiveness and similarity of trademarks.

- ✓ To increase consistency of judgments among examiners and of content in drafted documents through approvals (i.e. checks by those at the management level) and to conduct examinations consistent as an organization.
- ✓ To make sure that search methods and decisions in examinations are consistent by

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active consultations among examiners including those at the management level.

The initiatives undertaken are as follows:

- ✓ Systematically consistent examinations are conducted since consistency of judgements among examiners and drafted notices were increased by approvals of all cases at the management level and by sending cases that require re-searching and re-drafting back to examiners.
- ✓ Consistent examinations are ensured by examiners sharing search methods and decisions in examinations with one another in consultations held proactively in cases that include difficulties where examiners are required to make decisions on multiple applications with the same issue to include cases involving well-known trademarks through use of non-traditional trademarks.

While the User Satisfaction Survey shows a year-by-year increase in the level of satisfaction with consistency with judgements, the efforts above resulted in regularly consistent examinations among examiners as initiatives including approvals at the management level and consultations among examiners continued.

- Introduce an AI technology-based method of increasing efficiency in examinations after sufficient accuracy verification of the utilization of AI that is considered effective through pattern analysis, etc.

The objective and the initiative based on this recommendation are as follows:

Objective: Verify accuracy in potential use of AI.

- ✓ To continue empirical research projects for sophistication and efficiency of examinations by utilizing AI technologies in relation to prior device trademark search and checks of goods and services that display ambiguity.

The initiative undertaken is as follows:

- ✓ Verification has been completed for potential use of AI technologies as a tool to support sophistication and efficiency of examinations and for further improvement of accuracy.

The effort described above further improved accuracy verification in relation to potential use of AI technologies as a tool to support sophistication and efficiency of examinations.

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- Confirm the effects of training exercises and seminars for examiners.

The objective and the initiatives based on this recommendation are as follows:

Objective: Provide training exercises and seminars effective and appropriate to examiners' understanding and proficiency levels.

- ✓ To confirm effects of training exercises and seminars designed to improve examiners' understanding.
- ✓ To carry out a questionnaire for instructors and trainees at the end of each seminar to determine to what extent the trainees understand as well as to improve the training seminars.

The initiatives undertaken are as follows:

- ✓ Training was provided in a manner to improve trainees' understanding by gauging their understanding of seminars through their presentations and discussions. For example, in a training seminar, classroom lectures were followed by discussions on specific measures and case studies.
- ✓ Training programs were improved through changes in subjects to be taught and removal of redundant parts in lectures, which are based on the trainers' and trainees' comments in a questionnaire conducted at the end of each seminar to gauge the trainees' proficiency.

The efforts above enable trainees to receive effective training exercises and seminars appropriate to examiners' understanding and proficiency levels. Training is provided to develop a more thorough understanding by using questionnaires provided at the end of each seminar. Questionnaires are analyzed and training programs improved based on trainees' proficiency levels and their comments stating what elements require improvement.

### **Recommendations for Evaluation Item (h): Examination Quality Analysis and Identification of Issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relationship between the initiatives for quality management and the results obtained from the initiatives.

The objective and the initiative based on this recommendation are as follows:

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Objective: Continuous improvement through evaluating relations between implemented initiatives and subsequent results.

- ✓ To conduct continuous improvement while ensuring that a PDCA cycle functions effectively by evaluating the relationship between initiatives for quality management, such as consultations and quality audits, and results obtained from the initiatives.

The initiative undertaken is as follows:

- ✓ Successive improvements were introduced by considering countermeasures for urgent issues (e.g., identical problems occur in multiple cases under consultation or quality audit) found in the quality management initiatives, unifying judgement methods and examination practices to allow associated participants to fully understand them.

The efforts above resulted in successive improvements by considering countermeasures for urgent issues found in the quality management initiatives, unifying judgement methods and examination practices to allow associated participants to fully understand them.

- Identify specific issues for improving consistency with rulings and among examiners as distinct initiatives intended to enhance improvement as a result of the user satisfaction survey. Also, consider and implement specific improvement initiatives.

The objective and the initiatives based on this recommendation are as follows:

Objective: Improving results of the User Satisfaction Survey by identifying specific issues and then considering and implementing improvement countermeasures.

- ✓ To improve trademark examination by considering measures to maintain and enhance examination quality based on analyses of what is shown in quality audits and the User Satisfaction Survey.
- ✓ To check and share varieties of feedback as well as response measures within the examinations departments.

The initiatives undertaken are as follows:

- ✓ The Examination Guidelines were reviewed, revised and published, with several comments on examination ‘distinctiveness’ from the User Satisfaction Survey taken into account.
- ✓ The issue of discrepancies in decisions between examinations and appeals was

## I. Initiatives for Quality Management (3. Trademarks)

analyzed in detail, using feedback memos exchanged with the Trials and Appeals Department, opinions were exchanged on the analysis results, and information was shared within the examinations departments on the processing policy and other subjects agreed when exchanging opinions.

The efforts above resulted in improvement of results of the User Satisfaction Survey as specific issues were identified based on users' comments collected from the survey. Additionally, other methods and analysis results on feedback regarding appeals against examination decisions and as measures to improve the issues were considered and implemented.

### **Recommendations of Evaluation Item (k): Communication of Information on Initiatives for Examination Quality Improvement**

- Continue considering easy-to-understand provision of information on initiatives for quality management and collecting information on initiatives for quality management at overseas IP offices in actively communicating information on the JPO's initiatives for examination quality to domestic and overseas users and overseas IP offices.

The objective and the initiatives based on this recommendation are as follows:

Objective: Increasing reliability of the JPO by making our quality management policy more easily understood both domestically and internationally.

- ✓ To communicate the JPO's initiatives for maintaining and improving examination quality to overseas IP offices through international meetings, examiner exchange programs and other opportunities, as well as to collect information on initiatives for quality management by overseas IP offices.
- ✓ In the Five Trademark Offices (TM5) meeting, share information on quality management initiatives by TM5 through quality management projects led by the JPO.
- ✓ To continue exchanging opinions with companies/industry organizations/other entities.
- ✓ To continue providing information on initiatives for quality management on the JPO website and review the website in FY2018 for providing easier-to-understand information.

The initiatives undertaken are as follows:

- ✓ The JPO's initiatives for examination quality management were introduced by



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utilizing opportunities for exchanges between multiple offices (the JPO and one of overseas IP offices, including the EUIPO, the KIPO, and the TIPO), dispatching experts to overseas IP offices such as Brazil, and other means of cooperation for trainees (from Argentina, Bhutan, Brazil, Brunei, Cambodia, Egypt, India, Kazakhstan, Malaysia, Myanmar, Thailand, Vietnam, the OAPI, etc.). Additionally, discussions were held on quality management initiatives at these offices to discuss how overseas IP offices and the JPO can create a shared understanding of their quality management systems.

- ✓ In the TM5 meeting, the TM5 shared information on their quality management initiatives in a project in which the EUIPO and the JPO, as lead offices, carried out a questionnaire survey on quality management initiatives and collected responses from each office this fiscal year.
- ✓ Discussions were held with 10 companies, 22 industry organizations and 29 associations of commerce and industry and other associations to promote measures and initiatives by the JPO.
- ✓ The reliability of examinations in Japan was increased by actively communicating related information to overseas user organizations, e.g., the JPO's initiatives for examination quality management were introduced on occasions such as at annual meetings of the International Trademark Association (INTA).
- ✓ Information on initiatives for quality management is available on the JPO website and the website is undergoing review for providing more comprehensive information.

The reliability of the quality of trademark examinations at the JPO increased as its quality management has is well understood both domestically and internationally as a result of our efforts to continue collecting information on initiatives for quality management at international conferences and in dispatching and accepting examiners dispatched from abroad as well as other appointments.

## II. Evaluations from the Subcommittee

### II. Evaluations from the Subcommittee

Items were evaluated according to the Evaluation Items and Criteria Concerning Examination Quality Management (see Appendix at the end of the report) formulated by the subcommittee in FY2014.

Evaluation criteria for each evaluation item, on a scale of 1 to 4 (*very Satisfactory*, *satisfactory*, *generally achieved*, and *requires improvement*) was adopted for appropriate evaluations without including any unnecessary complexity. In addition, because examination processes among patents, designs, and trademarks have many similarities, common evaluation criteria for assessing the implementation system/status in quality management are used among them.

For each evaluation criterion, objectives and aspects of evaluation for each evaluation item were clarified, and actions, status, and other items to be achieved at each stage were specifically defined.

In particular, evaluation items (f) and (g) are evaluated as *very satisfactory* only when both of the following conditions are achieved:

- Initiatives necessary for the improvement of quality were planned and implemented as planned, and their objectives were achieved.
- It was recognized to have effects that would contribute to further improvement of quality.

In addition, evaluation item (h) is evaluated as *very satisfactory* only when both of the following conditions are achieved:

- Analysis of examination quality and identification of issues were conducted sufficiently.
- Identification of issues were conducted from a comprehensive perspective.

Furthermore, evaluation items (i) and (j) are evaluated as *very satisfactory* only when improvements in policies, procedures, structures, and quality management initiatives are completed not only *sufficiently* but also *at an excellent level*.

Before deliberations by the subcommittee, the JPO provided its members with materials outlining the outcomes and status of the implementation of examination quality management on patents, designs, and trademarks on the eleven evaluation criteria (handouts 2 to 4 of the first meeting of FY2018). Details that were unclear in the handouts, were followed-up in the Q&A session with the JPO on the same day as the deliberations.

The Subcommittee members evaluated each item on a scale of 1 to 4 according to the

## II. Evaluations from the Subcommittee

evaluation criteria, based on descriptions of the handouts mentioned above and among others. Subsequently, the subcommittee deliberated to compile an official report based on each member's evaluation and the results of the Q&A session.

The median value of the scores given by the subcommittee's members was used as an official evaluation. Any evaluations provided by members differing from the official evaluations are also described in association with the evaluation criteria.

The subcommittee's evaluation results are summarized as follows:

## II. Evaluations from the Subcommittee (1. Patents)

### 1. Patents

#### **Evaluation Item (a) (Status of creation of the Quality Policy, the Quality Manual, and other documents)**

This item was evaluated as *very satisfactory* while some members gave a *satisfactory* rating (same as previous year).

##### A Reasons for the evaluation

- a The Quality Policy, Quality Manual, and other documents indicating specific procedures for quality management were created and appropriately managed.
- b The examination guidelines and other documents were properly revised to accommodate advancement of IoT- and AI-related technologies.
- c Lists to compare related documents with the four Acts were created and users can then see where each document is positioned and compare details with other jurisdictions.

##### B Issues

- a It is not clear whether or not basic ideas for improvement of quality management have been reviewed besides formulation of the Quality Policy and the Quality Manual.
- b Setting an abstract purpose does not indicate formulating a policy as it consists of priority issues (purposes), objectives (goals), and means (JIS Q 9023).

#### **Evaluation Item (b) (Clarity of procedures for examinations and quality management)**

This item was evaluated as *very satisfactory* while some members rated it as *satisfactory* (same as previous year).

##### A Reasons for the evaluation

- a The Quality Manual clearly describes who should be responsible for establishing and implementing a quality management system, as well as required procedures and who is responsible for quality management.
- b The Patent and Utility Model Examination Guidelines stipulates required steps and how patent examinations should be conducted.
- c Procedures to improve examination quality are specified in the form of a PDCA cycle.

##### B Issues

## II. Evaluations from the Subcommittee (1. Patents)

- a It is not clear whether or not improvement activities for quality management have been reviewed although efforts to clarify the procedures were made by formulating the Patent and Utility Model Examination Guidelines, the Quality Manual, and other documents.
- b The meaning of *clear procedures* is not only providing procedures but also improving and revising them to bridge the gap between goals and outcomes, the basis of which is clear and reasonable enough to achieve outcome goals. The JPO has not assessed how many sets of such procedures are necessary to follow and how well they have been accomplishing improvement and revision activities to make the aforementioned basis reasonable.

### **Evaluation Item (c) (Publishing fundamental principles of quality management etc. to users and making staff members fully understand the principles)**

This item was evaluated as *very satisfactory* while some members indicated a *satisfactory* rating. In the previous year it was evaluated as *very satisfactory* while several members scored it as *satisfactory*. In addition, other members gave an evaluation of *generally achieved*.

#### **A Reasons for the evaluation**

- a Both the Quality Policy and the Quality Manual are accessible to users including those abroad and all staff members involved in examinations are made fully aware of the policy and the manual through multiple measures.
- b Examiners are encouraged to foster their understanding of quality management through regular training sessions provided to staff members.
- c The JPO is actively contacting user companies to introduce quality-related measures.

#### **B Issues**

- a Training sessions are in place but rank and technical field training systems have not been promulgated.
- b Publication and awareness activities are considered to have been properly achieved within the JPO, but not enough for users.

### **Evaluation Item (d) (Examination implementation system)**

This item was evaluated as *generally achieved* while many other members indicated a *satisfactory* rating. In the previous year, it was evaluated as *satisfactory* while many

## II. Evaluations from the Subcommittee (1. Patents)

members gave an evaluation of *generally achieved*. Some members evaluated this as *very satisfactory* as well.

### A Reasons for the evaluation

- a Initiatives for enhancing the examination implementation system and for increasing examination efficiency helped establish an organizational and staffing structure that can realize high-quality examinations while allowing examiners to achieve quota efficiency.
- b A roughly appropriate number of examiners have been employed and trained, and support has been provided from experts in advanced technologies to those who need the support in the form of consultations between examiners.
- c A sufficient amount of training, exchanges of opinions and other activities to improve examination have been implemented.
- d Mandatory items requiring consultation have been provided to those who have been transferred to allow the appropriate conduct of consultations during examinations.
- e Consultations are continuously held with examiners-in-charge who are well versed in IoT-related technologies for examinations of all applications marked as ZIT.

### B Issues

- a Development of the examination implementation system is in progress, but the system requires much further improvement in order to achieve even higher quality.
- b The examination implementation system depends on whether a system has been in place to achieve QCD (Quality, Cost and Delivery) of its outcome. Reviews have been carried out in terms of D, but not in terms of Q, or reviews have been conducted in terms of Q, but evaluations have not been completed.
- c The JPO has made efforts toward increasing the number of examiners as we are required to improve their examination skills both in terms of time and quality due to technological innovation and an ever-increasing amount of foreign literature available for searching. However, it does not appear that these efforts have resulted in an actual increase in the number of examiners. Only a limited number conduct prior art searches and quality initiatives, which demonstrates that the JPO's organizational and staffing structure has not yet reached an internationally comparable level. There is some concern about the JPO response to technology advancements and the practicability to further reduce the waiting time for the examinations.

## II. Evaluations from the Subcommittee (1. Patents)

- d In order to maintain maximum quality, measures designed to reduce the amount of time it takes to grant patents should be implemented after initiatives developed for that purpose.

### **Evaluation Item (e) (Quality management system)**

This item was evaluated as *satisfactory* while some members rated this *very satisfactory*. In the previous year it was evaluated as *satisfactory* while several members showed *very satisfactory*.

#### **A Reasons for the evaluation**

- a The JPO established an organizational structure of examination quality management, which independently positioned all personnel who are in charge, conducting examinations, planning and making proposals for initiatives, and analyzing and evaluating the quality of examinations. For example, written notices were assigned to Quality Management Officers based on the major types of the notices with an overall aim of better audit practices. Overall, the organizational and staffing structure was established in order to enable planning and making proposals for initiatives for quality management in an efficient and effective manner at an internationally comparable level.
- b Auditors try to provide examiners audit results including search histories during audits.
- c The JPO established its quality management system in which a number of Quality Officers are engaged from a limited pool of officers to perform more appropriate audits.

#### **B Issues**

- a Continuous efforts have been undertaken to manage examination quality. However, quality management has not been clearly assessed.
- b Sufficiency of a quality management system is determined by assessing resultant examination QCD in terms of *whether improvement has been achieved* and *to what degree the improvement has been achieved compared to other organizations*. Improvement has been shown in the JPO's QCD, but still needs to be reviewed from the viewpoint of whether or not the degree of improvement is sufficient for its target. In addition, the degree of improvement is determined by to what degree full participation has been achieved. Therefore, the requirement for reviewing whether or not the degree of full participation is sufficient for its target remains.

## II. Evaluations from the Subcommittee (1. Patents)

### **Evaluation Item (f) (Initiatives for quality improvement)**

This item was evaluated as *very satisfactory* or *satisfactory*. In the previous year it was evaluated as *satisfactory* while some members gave *very satisfactory*.

#### **A Reasons for the evaluation**

- a Initiatives necessary for quality improvement have been implemented as planned since last year (e.g. approvals, checks on drafted notices before approval, consultations including those on IoT-related inventions, target setting for examiners and evaluations on their performance, interviews or telephone contact, enhancement of searches on foreign patent documents, collection and provision of quality-related information, training exercises and seminars, evaluations and guidance on prior art searches conducted by registered search organizations, and provision and maintenance of search indexes). As an initiative that would contribute to further improvement of quality, two consultations are held for some applications in order to share search knowledge. Efforts have also been made to provide search guidelines for each technical field for registered search organizations and to create an environment in which foreign patent literature can be retrieved and screened in Japanese.
- b Initiatives for quality improvement have been appropriately implemented according to the organizational ladder and operating rules. In particular, specific initiatives have been implemented in FY2018, such as designation of mandatory consultations, implementation of PCT consultations and the sharing of knowledge amongst examiners.
- c The JPO has systematically attempted to determine a more practical method of conducting prior art searches.
- d Consultation cases have been closely examined and appropriately implemented.
- e A system is available where examiners can effectively share knowledge with each other, sharing of information with registered search organizations is conducted, and examinations are carried out on an interactive basis.
- f Issues regarding consistency of judgements on inventive step and descriptive requirements are understood.
- g Activities to improve each process are actively conducted on the basis of the quality management system and each activity can be evaluated in distinction between outcomes and processes. The JPO also tries to distinguish what is *planned* and what is *achieved* in both outcomes and processes.
- h The JPO strives to improve its examination quality to stay current, dealing with



## II. Evaluations from the Subcommittee (1. Patents)

IoT-related applications, start-up support, and cooperation projects with overseas IP offices.

- i The JPO provided users in rural areas, including SMEs, with communication support, such as on-site and television interviews, as well as support that helps them obtain rights.

### B Issues

- a The JPO is expected to assess the effectiveness of search guidelines and portals to share knowledge.

### **Evaluation Item (g) (Initiatives for quality verification)**

This item was evaluated as *satisfactory* while some members rated it *generally achieved*. In the previous year it was evaluated as *satisfactory*.

### A Reasons for the evaluation

- a The JPO verified search validity through quality audits, identification and judgments, and formality matters of notices through partial audits, all of which were required for verification of quality as planned in terms of the number of cases. In doing so, it carried out improvements in feedback of quality audits (showing audit results with a search history and reflecting audit results in evaluations of prior art searches by registered search organizations) and in items to be partial-audited, which led to achievement of objectives of each initiative.
- b The JPO worked to understand needs of various users by covering more overseas and small-scale users in its User Satisfaction Survey.
- c The JPO strived to identify issues of consistency.

### B Issues

- a The JPO continually undertakes initiatives to verify its examination quality, one of which is the User Satisfaction Survey. However, the validity of the verification method needs to be assessed.
- b The User Satisfaction Survey is important especially for quality verification, but it does not allow a comprehensive understanding of user dissatisfaction.
- c Verifications and audits are carried out to confirm that there are no typical issues, not whether what has been accomplished is correct or not. The JPO is expected to pattern-classify issues revealed in quality audits and the User Satisfaction Survey, match each type with mechanisms to ensure quality in examination processes, and

## II. Evaluations from the Subcommittee (1. Patents)

identify what has not been sufficiently covered (e.g. utilization of QA networks).

### **Evaluation Item (h) (Examination quality analysis and identification of issues)**

This item was evaluated as *satisfactory* while some members gave *generally achieved* as well as *very satisfactory*. In the previous year it was evaluated as *satisfactory* while some members indicated *very satisfactory*.

#### **A Reasons for the evaluation**

- a The JPO efficiently summarized issues as a means to ensure its examination quality.
- b Identification and analysis of issues were conducted appropriately with the help of multiple methods used in the acquisition of information.
- c A high collection rate has been maintained in the User Satisfaction Survey and the responses have been analyzed.
- d Analysis results through quality audits have been utilized in registered search organizations.
- e Initiatives for quality evaluations have steadily been implemented and issues have been identified on the basis of those results. Analysis methods have also been improved through an attempt to conduct CS portfolio analyses, for example. In addition, issues have been narrowed down from a comprehensive perspective and identified issues have specifically narrowed down to those chosen to be addressed in the future in the examination process.
- f The JPO has adequately addressed issues identified from various points of view, including those regarding search processes gathered from issues and consultation records related to consistency of judgements which were identified through the User Satisfaction Survey.
- g It is expected that specific improvement measures will be proposed and implemented since questions were added to the User Satisfaction Survey to identify issues regarding consistency of examinations and literature searches, both of which have been challenges for the JPO.

#### **B Issues**

- a Some improvement can be seen in the User Satisfaction Survey, such as added questions regarding consistency of judgements. However, it may not be deemed as a prompt action that, from this point forward, the JPO will consider measures for what was identified needing improvement.

## II. Evaluations from the Subcommittee (1. Patents)

- b Mechanisms to collect and analyze various kinds of information on examination quality was established and are used in each phase of examination. However, it remains unclear whether there are sufficiently tangible results on what issue types have been identified from the collected information.

### **Evaluation Item (i) (Status of improvement of policies, procedures, and structures to achieve high-quality examinations (Evaluation Items from (a) to (e)))**

This item was evaluated as *satisfactory* while some members scored it as *generally achieved*. In the previous year it was evaluated as *satisfactory*.

#### A Reasons for the evaluation

- a The JPO provides aid to staff members to fully understand quality management basics by enhancing training content, then confirming comprehension of policy improvements, procedures and structures.
- b Identified issues have been resolved and improvements have been made for development of a quality management system that continually remains current.
- c Evaluation Items (a) to (c) have been sufficiently improved even to accommodate the recent advancement of technologies such as IoT and AI.
- d Improvement initiatives have continually been implemented through revision of the examination guidelines and other documents, provision of various training sessions for examiners and expansion of prior art search projects (especially for foreign patent literature).

#### B Issues

- a It does not appear that, as for evaluation items (d) and (e), clear improvements have been seen in trade-offs between the time for examinations and maintenance of quality and in accuracy of identification of issues from the User Satisfaction Survey.
- b Japan's examination implementation system has not been as well-organized as that of other countries and therefore it is expected to be enhanced at an early stage.
- c Regarding evaluation item (a), the revision of the examination guidelines and other documents has not shown any effect (e.g. an adequate level of judgements on inventive step).

### **Evaluation Item (j) (Status of improvement of quality management initiatives (Evaluation Items from (f) to (h)))**

This item was evaluated as *satisfactory*, while some members rated it *generally*

## II. Evaluations from the Subcommittee (1. Patents)

*achieved*. In the previous year, it was evaluated as *satisfactory*.

### A Reasons for the evaluation

- a The JPO is recognized for its efforts in supporting start-ups, further improving satisfaction with examinations interviews, and making it possible to search and screen English patent literature in Japanese.
- b Issues identified through previous FY analysis were addressed, overseas users and SMEs were surveyed in the User Satisfaction Survey, efforts to understand various needs were undertaken by carrying out on-site interviews with greater emphasis, and improvements were sufficiently carried out in quality management initiatives.
- c The JPO have been implementing such new initiatives to maintain pace with the advancement of technologies, including IoT and AI. These initiatives include courses for human resource development and screening in the patent and utility model search system in Japanese translated from English, Chinese and Korean.

### B Issues

- a Efforts were completed to improve examination quality, but on-going efforts are in progress to provide more comprehensive assessments.
- b Regarding verification of various specific initiatives and identification of issues, further improvements remain that are required to help identify specific issues from users' opinions.
- c New initiatives for evaluation items (f) to (h) have shown no effect (e.g., adequate level of judgements on inventive step).

### **Evaluation Item (k) (Communication of information on initiatives for examination quality improvement)**

This item was evaluated as *satisfactory* while some members gave a score of *very satisfactory* (same as previous year).

### A Reasons for the evaluation

- a The JPO established continuous cooperative relations by communicating information on examination quality improvement to domestic and overseas users through exchanges of opinions as well as to overseas IP offices through international gatherings and dispatching/receiving examiners.
- b Information on examination quality improvement has been communicated on the JPO website, in various meetings, training sessions and other opportunities.

## II. Evaluations from the Subcommittee (2. Designs)

- c The JPO contacts large companies, SMEs, start-ups and foreign companies to communicate information on examination quality improvement.

### B Issues

- a Information on examination quality improvement can be complicated so it needs to be simplified as much as possible for recipients to more easily understand.
- b It is expected that the website update will result in improving communication using more comprehensive, uncomplicated information.

## 2. Designs

### **Evaluation Item (a) (Status of creation of the Quality Policy, Quality Manual, and other documents)**

This item was evaluated as *very satisfactory* while some members gave a score of *satisfactory* (same as previous year).

### A Reasons for the evaluation

- a The Quality Policy, Quality Manual, and other documents indicating specific procedures for quality management were created and appropriately managed.
- b The Design Examination Guidelines were revised and both the Japanese and English versions were made available to the public.
- c Lists to compare related documents with the four Acts were created and users thereby can see where each document is positioned and compare details with other jurisdictions.

### B Issues

- a It is not clear whether or not the basic ideas for improvement of quality management have been reviewed with the exception of formulation of the Quality Policy and Quality Manual.
- b Formulating a policy that consists of priority issues (purposes), objectives (goals) and means (JIS Q 9023) cannot be achieved through use of abstract information.

### **Evaluation Item (b) (Clarity of procedures for examinations and quality management)**

This item was evaluated as *very satisfactory* while some members gave a score of *satisfactory* (same as previous year).

### A Reasons for the evaluation

## II. Evaluations from the Subcommittee (2. Designs)

- a The Quality Manual clearly describes who should be responsible for establishing and implementing a quality management system. It also outlines necessary process procedures and lays out responsibilities of quality managers.
- b The Design Examination Guidelines stipulate what needs to be accomplished and the steps to complete design examinations.
- c Procedures to improve examination quality are specified in the form of a PDCA cycle.
- d Examples of draft notification documents for Hague applications have been updated.

### B Issues

- a The phrase, *clear procedures*, means not only establishing procedures, but also improving and revising them to bridge the gap between goals and outcomes, the basis of which is clear and reasonable enough to achieve outcome goals. The JPO has not assessed how many sets of such procedures they need to follow and how appropriately they have been doing improvement and revision activities to make the basis reasonable.

### **Evaluation Item (c) (Publication of the fundamental principles of quality management etc. to users of IP systems and dissemination of such information to the staff)**

This item was evaluated as *very satisfactory* while some members gave a score of satisfactory. In the previous year it was evaluated as *very satisfactory* while some members gave a rating of *satisfactory*. In addition, other members gave an evaluation of *generally achieved*.

### A Reasons for the evaluation

- a Both the Quality Policy and the Quality Manual are accessible to users to include those abroad and all staff members involved in examinations in order to help them maintain continuous awareness of current policy and manual updates.
- b Examiners are encouraged to foster their understanding of quality management through regular training sessions for staff members. Also, newly appointed approvers at the management level share details to help them grant approval.
- c The JPO actively contacts user companies to introduce quality-related measures.

### B Issues

## II. Evaluations from the Subcommittee (2. Designs)

- a Training sessions are available and a training system for rank and technical field categories is in development.
- b Publication and awareness activities are completed within the JPO, but for users this is still in development.

### **Evaluation Item (d) (Examination implementation system)**

This item was evaluated as *generally achieved*, while some members rated this as *satisfactory*. Additionally, other members evaluated this as *very satisfactory*. In the previous year it was evaluated as *generally achieved*, while several members gave an evaluation of *satisfactory*.

#### **A Reasons for the evaluation**

- a Regarding examinations processed, the number of first actions issued have been nearly identical to that of filing applications over the past few years.
- b The JPO conducts examinations that are gradually increasing, including those on Hague applications, without increasing the number of examiners, which means that the JPO examination completion process is effective and efficient.
- c Training, opinion exchanges and other activities to improve examinations are successful as evidenced by overall effectiveness.

#### **B Issues**

- a Development of the examination implementation system is in progress, but on-going improvements will continue to be addressed to achieve even higher quality.
- b The examination implementation system depends on whether a system is in place to achieve QCD (Quality, Cost and Delivery) in the outcome. Reviews have been completed in terms of D, but not in terms of Q, or reviews have been completed in terms of Q, but evaluations remain incomplete.
- c Examiners at the JPO currently process far more examinations than their counterparts at the USPTO; moreover, only a limited number are responsible for international design applications and quality initiatives. This indicates that the JPO's organizational and staffing structure, while not as large as other IP Offices, has a robust examination system.
- d The JPO's current initiatives for the examination implementation system are satisfactory. However, with the number of examiners remains unchanged. There is some concern about the practicability of examiners' judgement appropriateness as further technology advancements and trend changes occur, as well as the practicability of their handling of international applications.

## II. Evaluations from the Subcommittee (2. Designs)

### **Evaluation Item (e) (Quality management system)**

This item was evaluated as *satisfactory*, while some members rated it as *generally achieved*. Other members gave an evaluation of *very satisfactory* as well. In the previous year it was evaluated as *satisfactory*, while some members gave *generally achieved*.

#### **A Reasons for the evaluation**

- a The JPO established an organizational structure of examination quality management, in which persons in charge, those involved in planning and generating proposals for initiatives, and persons analyzing and evaluating the quality of examinations were all independently positioned. For example, written notices were assigned to Quality Management Officers based on major notice types, with an overall aim of achieving better audit practices. Generally speaking, the organizational and staffing structure was established in order to enable planning and generation of proposals for initiatives for quality management in an efficient and effective manner so that quality management initiatives are conducted at an internationally comparable level.
- b The organizational structure to maintain high-quality examinations is well-developed for national and Hague applications.
- c The JPO is developing a quality management system equivalent to that in other countries with a substantive examination system by implementing quality management initiatives. In one of the initiatives, two examiners are assigned to develop plans for quality management (as well as to carry out examinations), one of whom serves as an executive officer to analyze and assess quality audits.

#### **B Issues**

- a Continuous efforts have been made to manage examination quality. However, quality management has not been clearly assessed.
- b Sufficiency of a quality management system is determined by assessing resultant examination QCD in terms of ‘whether improvement has been achieved’ and ‘to what degree the improvement has been achieved compared to the other organizations’. Improvement is clearly shown in the JPO’s QCD, but it requires review from the viewpoint of whether the degree of improvement is adequate for its target. In addition, the degree of improvement is determined by the degree to which full participation has been achieved. Therefore, it needs to be reviewed whether the targeted degree of full participation has been achieved or not.



## II. Evaluations from the Subcommittee (2. Designs)

### **Evaluation Item (f) (Initiatives for quality improvement)**

This item was evaluated as *satisfactory*, while some members gave *generally achieved*. Other members gave an evaluation of *very satisfactory* as well (same as previous year).

#### **A Reasons for the evaluation**

- a Initiatives necessary for quality improvement (e.g. results of consultations for national applications and feedback) continues to be implemented. Consultations have also been accomplished for all examinations on Hague applications to facilitate exchanging opinions and sharing knowledge among examiners. In addition, active communication with applicants helped increase mutual understanding. Draft texts of consultation orders for Hague applications were reviewed and the drafting system was redesigned simultaneously to improve content of the draft and the drafting process. Examiners enhance their expertise by actively visiting companies; attending exhibitions, academic conferences, symposia, and seminars; and collecting design-related information in their assigned fields.
- b Initiatives for quality improvement have been appropriately implemented according to the organizational ladder and operating rules. In particular, Hague applications were handled with care in consultations on examinations and in drafting notification documents as it has been merely three years since Japan began to receive applications under the Hague system. Training for examiners and timely revision of examination-related documents were appropriately carried out as well.
- c Efforts were made to improve examination quality, one of which is to utilize opportunities to exchange information, such as conducting study groups for external experts.
- d Activities to improve each process are actively conducted on the basis of the quality management system and each activity can be evaluated in distinction between outcomes and processes. The JPO also is intent on distinguishing what is planned and what is achieved in both outcomes and processes.
- e Initiatives to improve examination quality have also been implemented; for example, newly appointed approvers at the management level share details that may have significance at the time of approval, and examiners and approvers carry out consultations.
- f Examples of draft notification documents for Hague applications were updated. Conference and company visits were conducted to gain better understanding of business and technology trends. Research on quality audits was adopted as a new

## II. Evaluations from the Subcommittee (2. Designs)

initiative at the ID5 meeting.

### B Issues

- a It is expected that consideration from the viewpoint of quality management will be provided regarding how AI utilization in design examinations can solve problems, such as higher efficiency and better consistency, and whether AI utilization leads to sound protection of rights.
- b It is expected that quality audit and management initiatives for Hague applications will be enhanced.
- c It is expected that improvement initiatives will be implemented that focus on enhancement of communication and low evaluations in the User Satisfaction Survey.
- d Examination system tools are undergoing improvement.

### **Evaluation Item (g) (Initiatives for quality verification)**

This item was evaluated as *satisfactory*. Last year, it was also evaluated as *satisfactory*, while some members evaluated it as *very Satisfactory*.

### A Reasons for the evaluation

- a The JPO verified the validity of searches through quality audits, identification and judgments, and formal-matters notices through partial audit, all of which were required for verification of quality, as planned in terms of the number of cases and achieved objectives of each initiative. For Hague applications, non-FA drafted documents were also audited on a trial basis, and approvers were given feedback on audit results from Quality Management Officers to examiners by the day after the audit ended so that consultations and considerations on drafting can be completed promptly.
- b Initiatives for examination quality verification have been appropriately implemented through internal audits, user surveys using questionnaires and other activities.

### B Issues

- a It is desirable that the JPO should add to its User Satisfaction Survey a question to compare examination practices on design applications, as on patent and trademark applications, with that of other IP offices (or countries that have a substantive examination system).
- b It is desirable that specific factor analyses should be conducted on items of

## II. Evaluations from the Subcommittee (2. Designs)

evaluations with relatively low ratings in the User Satisfaction Survey.

- c Verifications and audits are carried out to confirm that there are no typical issues, not that what has been accomplished is correct. The JPO is expected to pattern-classify issues revealed in quality audits and the User Satisfaction Survey, match each type with mechanisms to ensure quality in examination processes, and identify what has not been sufficiently covered (e.g. utilization of QA networks).

### **Evaluation Item (h) (Examination quality analysis and identification of issues)**

This item was evaluated as *satisfactory*, while some members gave *generally achieved* (same as previous year).

#### **A Reasons for the evaluation**

- a In the current quality management system, the JPO analyzed its examination quality and identified issues within various initiatives.
- b A high response rate in the User Satisfaction Survey has been maintained and responses have been analyzed.
- c A track record has been established and analyzed in relation to the drafting of notification documents for Hague applications.
- d Initiatives for quality evaluations have steadily been implemented and issues have been identified on the basis of the evaluation results. Analysis methods have also been improved through an attempt to conduct CS portfolio analyses, for example. In addition, issues have been reduced to a more comprehensive proportion.
- e Semiannual reviews were carried out alongside analyses of issues by an internal committee, consideration of improvement measures and revision of procedures and other documents. In the course of transition from examination to appeal, analyses were conducted from many different aspects which helped to identify issues.
- f Wide-ranging analyses of examination quality were conducted, in which issues were identified from various perspectives.

#### **B Issues**

- a The evaluation method using the User Satisfaction Survey should not be considered to be precise.
- b It is expected that initiatives used to identify more concrete issues should be implemented because the remaining identified issues are abstract.

## II. Evaluations from the Subcommittee (2. Designs)

### **Evaluation Item (i) (Status of improvement of policies, procedures, and structures to achieve high-quality examinations (Evaluation Items from (a) to (e)))**

This item was evaluated as *satisfactory* (same as previous year).

#### A Reasons for the evaluation

- a While Japan's examination implementation system has not been organized as well as that of other countries, the JPO revised our Examination Guidelines for Design and documents related to Hague applications and fully informed its users of the revision to improve its examination quality.
- b The JPO makes its staff members fully understand the basics of quality management. For example, newly appointed approvers at the management level share information and details they should keep in mind at the time of approval.

#### B Issues

- a It is expected that future initiatives will be continually implemented to maintain and improve our current examination implementation system, clarify procedures, and to publish and disseminate future revisions to the design system.

### **Evaluation Item (j) (Status of improvement of quality management initiatives (Evaluation Items from (f) to (h)))**

This item was evaluated as *satisfactory* (same as previous year).

#### A Reasons for the evaluation

- a The improvement level of evaluation item (f) has risen steadily due to various specific initiatives (improvement in user satisfaction with Hague applications).
- b Quality management initiatives were significantly improved as the JPO addressed issues identified through analysis for the previous FY and included overseas users and SMEs in the User Satisfaction Survey to gain a better understanding of various needs.
- c As for Hague applications, the system, content of drafted documents and the overall drafting process were improved. The drafting check sheet was also updated.
- d Examiners made efforts to develop their expertise and enhance communication with users.

## II. Evaluations from the Subcommittee (3. Trademarks)

### B Issues

- a It is expected that further initiatives will continually be implemented to verify and analyze an examination implementation system that can handle future updates of the design system, as well as to identify issues.

### **Evaluation Item (k) (Communication of information on initiatives for examination quality improvement)**

This item was evaluated as *satisfactory*, while some members submitted a rating of *generally achieved*, and others evaluation ratings were *very satisfactory* (same as previous year).

### A Reasons for the evaluation

- a Information on examination quality improvement is available on the JPO website, communicated in various meetings, training sessions, and other opportunities.
- b The JPO established continuous cooperative relations by communicating information on examination quality improvement to domestic and international users and by holding regular meetings to exchange opinions. In the fourth ID5 meeting, a project to cooperate in quality management research was adopted as a new initiative for international cooperation.

### B Issues

- a The JPO is expected to communicate information and exchange opinions actively both domestically and internationally.
- b Users expect that comprehensive information will be available on the updated website.
- c Users also have the expectation that international cooperation in quality management will be promoted.

## **3. Trademarks**

### **Evaluation Item (a) (Status of creation of the Quality Policy, Quality Manual, and related documents)**

This item was evaluated as *very satisfactory*, while some members chose *satisfactory* (same as previous year).

### A Reasons for the evaluation

## II. Evaluations from the Subcommittee (3. Trademarks)

- a The Quality Policy, the Quality Manual, and other documents indicating specific procedures for quality management were created and accordingly managed.
- b The Examination Guidelines and other related documents were properly updated to the current Japanese era.
- c Lists to compare related documents with the four IP Acts were created and so that users can see where each document is positioned, and can then compare details with other jurisdictions.

### B Issues

- a It is not readily apparent whether or not basic ideas for improvement of quality management have been reviewed other than the promulgation of the Quality Policy and the Quality Manual.
- b Setting an abstract purpose does not necessarily imply formulation of policy as it consists of priority issues (purposes), objectives (goals) and means (JIS Q 9023).

### **Evaluation Item (b) (Clarity of procedures for examinations and quality management)**

This item was evaluated as *very satisfactory*, while some members rated this as *satisfactory* (same as previous year).

### A Reasons for the evaluation

- a The Quality Manual clearly describes who should be responsible for establishing and implementing a quality management system, what procedures are required, and designate who is charge of the quality management.
- b The Examination Manual for Trademarks and the Outline of Trademark Examination Procedures stipulate what needs to be accomplished and how to effectively complete trademark examinations.
- c Procedures to improve examination quality are specified in the form of a PDCA cycle.

### B Issues

- a Whether or not review of improvement activities for quality management have been carried out is not certain, though efforts to clarify the procedures were made by creating the Examination Guidelines for Trademarks, the Quality Manual, and other documents.
- b *Clear procedures* implies not only setting out procedures but also making improvements and revisions to bridge the gap between goals and outcomes, the

## II. Evaluations from the Subcommittee (3. Trademarks)

basis of which is clear and reasonable enough to achieve outcome goals. The JPO has not assessed the extent to which required procedures are necessary, and how improvement and revision activities allow for a reasonable basis.

### **Evaluation Item (c) (Publication of the fundamental principles of quality management, etc., to users of IP systems and information dissemination to staff)**

This item was evaluated as *very satisfactory*, while some members submitted as *satisfactory*. Last year, it was also evaluated as *very satisfactory*, while several members stated *satisfactory* and some members evaluated as *generally achieved*.

#### **A Reasons for the evaluation**

- a Both the Quality Policy and the Quality Manual are accessible to users anywhere around the world. Further, all the staff members involved in examinations are made fully aware of the Policy and the Manual through multiple measures.
- b Examiners have been encouraged to foster their understanding of quality management through regular training sessions for staff members.

#### **B Issues**

- a Training sessions are in place but no training system by rank and area has been established.
- b The publication and awareness activities are considered to be properly completed by the JPO, but still requires additional efforts to reach all users.

### **Evaluation Item (d) (Examination implementation system)**

This item was evaluated as *generally achieved*, while some members rated this as *satisfactory* (same as previous year).

#### **A Reasons for the evaluation**

- a Effective training sessions and other efforts were made to examination processes.
- b Enhancement of the examination implementation system was completed allowing employment of new examiners to handle an increasing number of applications. Examiners-in-charge of non-traditional trademarks were assigned to each examination division.

#### **B Issues**

- a Efforts were made to enhance the examination implementation system. However, we are uncertain whether or not information processing systems for examinations

## II. Evaluations from the Subcommittee (3. Trademarks)

were updated.

- b The examination implementation system outcome depends on whether a system is being used to achieve QCD (Quality, Cost and Delivery). Reviews have been conducted in terms of D, but not in terms of Q, or reviews have been conducted in terms of Q, but evaluations have not been completed.
- c Despite efforts to train examiners and streamline operations through automation and environmental improvement as the number of examinations rapidly increases, the evaluation should only be rated as *generally achieved* from the perspective of establishing an internationally comparable level of organizational and staffing structure for examination because the actual number of trademark examiners is decreasing.
- d Some improvement needs to be made to applications examinations used as mere formalities.

### **Evaluation Item (e) (Quality management system)**

This item was evaluated as *satisfactory*, while some member evaluations were *very satisfactory*. In the previous year it was evaluated as *satisfactory*.

#### **A Reasons for the evaluation**

- a The JPO established an organizational structure of examination quality management, in which persons in charge, persons conducting examinations, persons planning and making proposals for initiatives, and those who analyze and evaluate examination quality were all independently positioned. Essentially, an organizational and staffing structure was established in order to enable planning and making proposals for initiatives for quality management in an efficient and effective manner so that quality management initiatives can be conducted at an internationally comparable level.
- b The degree of improvement is determined by to what degree full participation is achieved. In this sense, it is considered beneficial that initiatives to communicate with users have been evaluated in (f) in terms of full participation.

#### **B Issues**

- a Continuous efforts are being made to enhance the system of examination quality management. However, quality management has not been thoroughly assessed.
- b Sufficiency of a quality management system is determined by assessing resultant examinations QCD in terms of improvements achieved and the degree to which improvements are achieved compared to other organizations. Improvement has



## II. Evaluations from the Subcommittee (3. Trademarks)

been achieved in the JPO QCD, but needs to be reviewed from the viewpoint of whether the degree of improvement is sufficient for its target.

### **Evaluation Item (f) (Initiatives for quality improvement)**

This item was evaluated as “Satisfactory,” while some members gave “Generally Achieved.” Other members gave an evaluation of “Very Satisfactory” as well (Same as previous year).

#### **A Reasons for the evaluation**

- a Initiatives planned for implementation since last year to aid quality improvement have been effected (to include approvals, consultations, target setting for examiners and performance evaluations, interviews/telephone contact, quality-related information collection/provision, examination system training and development, et al). As an initiative that would contribute to further improvement of quality, specifically to draw conclusions with which users would be highly satisfied, communication with users was further improved using the following methods: Provide active support to assist in obtaining rights; send written amendment instructions and contact those who have not responded to a notice of reasons for refusal before overall application refusal. The objectives of the initiatives have therefore been achieved.
- b Initiatives for quality improvement were implemented according to the organizational ladder and operating requirements.
- c Carefully conducted examinations result in improved quality.
- d Initiatives have been implemented to provide balance to variations in judgements of distinctiveness and similarity of trademarks.

#### **B Issues**

- a It is desirable that the JPO work actively on improving efficiency in examinations through AI utilization.

### **Evaluation Item (g) (Initiatives for quality verification)**

This item was evaluated as *satisfactory*. In the previous year it was evaluated as *satisfactory*, while some members provided an evaluation of *very satisfactory*.

#### **A Reasons for the evaluation**

- a At our own discretion, the JPO verified the validity of searches and the legitimacy of identification and judgments through quality audits, which are required for

## II. Evaluations from the Subcommittee (3. Trademarks)

quality verification as determined by the number of cases. This means that the objectives of the initiatives were achieved.

- b Items in the User Satisfaction Survey were reviewed in order to develop a comparison with the other IP offices.
- c Initiatives for examination quality verification have been appropriately implemented through internal audits and user surveys using questionnaires and other activities.
- d Well-balanced quality audits were conducted to identify issues.

### B Issues

- a In addition to continuous efforts focused on verification initiatives, efforts are expected to be made to evaluate verification results more effectively.
- b Verifications and audits are carried out to confirm that there are no typical issues, not for the purpose of ensuring correct completion. The JPO is expected to pattern-classify issues revealed in quality audits and the User Satisfaction Survey, match each type with mechanisms which ensure quality in examination processes, and identify what has not been sufficiently covered (e.g. utilization of QA networks).

### **Evaluation Item (h) (Examination quality analysis and identification of issues)**

This item was evaluated as “Satisfactory,” while some members gave “Very Satisfactory” (same as previous year).

### A Reasons for the evaluation

- a The JPO analyzed its examination quality and identified issues in various initiatives.
- b A high response rate has been maintained in the User Satisfaction Survey and the responses have been analyzed.
- c Initiatives for quality evaluation have been steadily implemented and issues were identified on the basis of the evaluation results. Additionally, analysis methods were improved through an attempt to conduct CS portfolio analyses, in example. Moreover, issues were reduced to a more comprehensive level. Information related to the examination process that needs to be addressed in the identified issues has also undergone significant reduction.
- d Wide-ranging analyses of examination quality were conducted in which issues were identified from various aspects.
- e Broad issues were identified during quality audits.

## II. Evaluations from the Subcommittee (3. Trademarks)

### B Issues

- a The JPO is expected to continue to identify specific issues in the User Satisfaction Survey from respondent provided information that states dissatisfaction.

### **Evaluation Item (i) (Status of improvement of policies, procedures, and structures to achieve high-quality examinations (Evaluation Items from (a) to (e)))**

This item was evaluated as *satisfactory*, while some members rated *generally achieved*. In the previous year it was evaluated as *satisfactory*, while some members stated *generally achieved*. Other members gave an evaluation of *very satisfactory* as well.

### A Reasons for the evaluation

- a As the number of examinations rapidly increases, policies, procedures and structures were improved, an example of which is a minimal extension of an examination period, as a result of greater efficiency achieved by automation and improvement of the environment that helps examiners focus on their work.
- b Evaluation Items (a) through (c) have been sufficiently improved and made fully aware inside and outside the JPO.
- c The examination implementation system was enhanced for non-traditional trademarks.
- d Initiatives to improve quality have progressed including revision of the Examination Guidelines.

### B Issues

- a Japan's examination implementation system is not organized as well as many other countries.
- b Despite a rapid increase in examinations, the actual number of examiners is decreasing. In this regard, it is difficult to affirm that the system is sufficiently improved.
- c It is suggested that maintenance and improvement of the examination implementation system should be considered continually from a long-term perspective.

### **Evaluation Item (j) (Status of improvement of quality management initiatives (Evaluation Items from (f) through (h)))**

This item was evaluated as *satisfactory*. Last year, it was also evaluated as *satisfactory* while some members gave a rating of *very satisfactory*.

## II. Evaluations from the Subcommittee (3. Trademarks)

### A Reasons for the evaluation

- a Quality management initiatives were improved by addressing issues identified in last FY's analysis and reviewing items to be surveyed in the User Satisfaction Survey.
- b The JPO is promoting the development of examination support systems capable of providing information on goods and services that were adopted in the past are difficult to adopt in an easy-to-understand manner.

### B Issues

- a Efforts were made to improve examination quality, but still requires further improvement as they continue to undergo assessment and objectives and methods of quality management require better clarity.

### **Evaluation Item (k) (Communication of information on initiatives for examination quality improvement)**

This item was evaluated as *very satisfactory* or *satisfactory*, while some members rated this as *generally achieved*. In the previous year it was evaluated as *satisfactory* while some members stated *generally achieved*. Still, other members gave an evaluation of *very satisfactory*.

### A Reasons for the evaluation

- a The JPO established continuous cooperative relations with domestic and overseas users as well as overseas IP offices by communicating information on examination quality improvement to the former through exchanges of opinions and to the latter in international gatherings and by dispatching/receiving examiners. Particularly, in TM5 meetings, the JPO leads a quality management project to exchange information on quality management.
- b Information on examination quality improvement is available on the JPO's website and communicated in various meetings, training sessions and other occasions.

### B Issues

- a It is our expectation that the complete update of the JPO's website will result in communicating much more easy-to-understand information.

### **III. Improvement recommendations from the Subcommittee**

The Subcommittee discussed evaluations and issues concerning the implementation system/implementation status of quality management which were revealed through the evaluation process to require improvement.

Improvement recommendations by the Subcommittee are summarized as follows.

#### **1. Patents**

##### **(1) Recommendations for Evaluation Items (a) and (k): Status of Document Creation and Communication of information on initiatives for examination quality improvement**

- Regarding Industry 4.0 technologies, case examples should be accumulated to be used for developing better awareness and understanding of the Examination Guidelines for Patent and Utility Model.

##### **(2) Recommendations for Evaluation Item (d): Examination Implementation System**

- A sufficient number of examiners should be engaged and well-trained through improved seminars/sessions.

##### **(3) Recommendations for Evaluation Item (f): Initiatives for Quality Improvement**

- The JPO should continue to strengthen foreign and non-patent literature searches in addition to domestic literature searches.
- The JPO should continue to enhance communication with users including telephone conversations and interviews.
- Initiatives to improve examination quality should be implemented through examiners' active participation.
- Initiatives for examination quality and the quality management system should be reviewed based on relations between results of objectives and performance of the planned initiatives.

##### **(4) Recommendations for Evaluation Items (f) and (g): Initiatives for Quality Improvement and Verification**

- The JPO should analyze issues on consistency of judgements among examiners on inventive step and lack of descriptive requirements and implement appropriate measures.

##### **(5) Recommendations for Evaluation Item (h): Examination Quality Analysis and**

### III. Improvement recommendations from the Subcommittee (2. Designs)

#### **Identification of Issues**

- Identification and rectification of issues should be facilitated by understanding users' awareness and needs regarding judgements on inventive steps and other issues. Increasing the exchange of opinions with users and reviewing questions in the User Satisfaction Survey would help in this regard.

#### **(6) Recommendations for Evaluation Item (k): Communication of Information on Initiatives for Examination Quality Improvement**

- Regarding new initiatives for Industry 4.0 technologies and the US-JP Collaborative Search Pilot Program, the JPO should work actively on communicating information to its users including those abroad and collect relevant information from other IP offices.

#### **2. Designs**

##### **(1) Recommendations for Evaluation Items (a) and (k): Status of Document Creation and Communication of Information on Initiatives for Examination Quality Improvement**

- Stakeholders should be fully informed of revisions of the design system and the Design Examination Guidelines.

##### **(2) Recommendations for Evaluation Item (d): Examination Implementation System**

- A sufficient number of examiners should be engaged and well-trained through improved seminars/sessions.
- The JPO should improve its document collection system to conduct necessary searches for applications required by the revised Design Act and enable the system to retrieve collected documents appropriately.

##### **(3) Recommendations for Evaluation Item (f): Initiatives for Quality Improvement**

- Quality audits and training should be enhanced for appropriate searches and notification drafts for Hague applications.
- Continuous initiatives should be implemented to enhance communication with users.
- Examination system tools should be improved according to the revised Design Act and Examination Guidelines.
- Initiatives for examination quality and the quality management system should be reviewed based on the relationship between results of the objectives and performance

### III. Improvement recommendations from the Subcommittee (3. Trademarks)

of planned initiatives.

#### **(4) Recommendations for Evaluation Item (g): Initiatives for Quality Verification**

- The JPO should add to its User Satisfaction Survey a question that compares examination practices on design applications, as on patent and trademark applications, with that of other IP offices (or countries that have a substantive examination system).

#### **(5) Recommendations for Evaluation Item (h): Examination Quality Analysis and Identification of Issues**

- Identification and rectification of issues should be facilitated by understanding users' awareness and needs through enhanced exchange of opinions with users and User Satisfaction Survey question reviews.

#### **(6) Recommendations of Evaluation Items (i) and (j): Status of improvement for evaluation items (a) to (h)**

- Further initiatives should continually be implemented to maintain and improve the current examination implementation system, clarify procedures, and to publish and disseminate future revisions of the design system.

#### **(7) Recommendations of Evaluation Item (k): Communication of information on initiatives for examination quality improvement**

- The JPO should collect from overseas IP offices quality management information, and conduct opinion exchanges in ID5 meetings and other events. The collected information should then be made available to all users.

### **3. Trademarks**

#### **(1) Recommendations for Evaluation Items (a) and (k): Status of Document Creation and Communication of Information on Initiatives for Examination Quality Improvement**

- Stakeholders should be fully informed of the Examination Guidelines for Trademarks to gain a more comprehensive understanding and a clearer concept of operations.

#### **(2) Recommendations for Evaluation Item (d): Examination implementation system**

- A sufficient number of examiners should be committed and well-trained through improved seminars and sessions.

#### **(3) Recommendations for Evaluation Item (f): Initiatives for Quality Improvement**

### III. Improvement recommendations from the Subcommittee (3. Trademarks)

- Quality management initiatives should be enhanced for examinations of non-traditional trademarks.
- The JPO should continue to enhance communication with users including telephone conversations and interviews.
- The JPO should enhance a system that incorporates users' opinions on examination quality issues.
- Initiatives for examination quality and the quality management system should be reviewed based on relations between results of the objectives and performance of the planned initiatives.

#### **(4) Recommendations for Evaluation Items (f) and (g): Initiatives for Quality Improvement and Quality Verification**

- The JPO should implement measures against, while continuously analyzing, issues related to consistency of judgements among examiners on items that received a low evaluation in the User Satisfaction Survey.

#### **(5) Recommendations for Evaluation Item (h): Examination Quality Analysis and Identification of Issues**

- Identification and rectification of issues should be facilitated by understanding user awareness and needs through enhanced exchange of opinions with users and through User Satisfaction Survey question reviews.

#### **(6) Recommendations of Evaluation Items (i) and (j): Status of improvement for evaluation items (a) to (h)**

- The JPO should actively work on sending out information to domestic and overseas users on its initiatives with overseas IP offices and collecting information on overseas IP offices.



## **IV. Conclusion**

Through verifications and evaluations of the implementation system of the quality management and its status in FY2018, we have confirmed that evaluation results and improvement recommendations provided by the Subcommittee in FY2017 were reflected in the initiatives within the JPO.

In addition, it has also been confirmed that examination quality at the JPO remained high by international standards; initiatives designed to build trusting relationships with overseas IP offices are fully promoted and opportunities to communicate with users of the industrial property rights system has increased.

In light of these points, this subcommittee expects that the JPO will continue efforts to improve examination quality through evaluation results and improvement recommendations concerning the implementation system of quality management. The status as outlined in this report is reflected in the initiatives to be implemented at the JPO which is expected to result in further enhancement of the implementation system of examination quality management, and to promote cooperation between applicants serving as users and patent attorneys serving as representatives.

In addition, the Subcommittee also expects that the JPO will contribute to global activities of users of the industrial property right system through actively communicating its high-quality examination results to overseas IP offices, and continuing to interact with them in the area of quality management.

## Appendix

# (Appendix) Evaluation Items and Criteria Concerning Examination Quality Management

Items	Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria				
			Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements	
I. Have policies, procedures, and structures been established to achieve high-quality examination?							
(1) Have policies and procedures been established to achieve high-quality examination?							
(a)	Status of creation of Quality Policies, Quality Manuals, and other documents	To evaluate whether the Quality Policies stipulating the fundamental principles of quality management, the Quality Manuals describing initiatives for improvement of examination quality management along with the roles of departments/divisions and the personnel, and other documents indicating specific procedures for the purpose of quality management have been properly created, and to confirm whether Code of Conduct for the improvement of examination quality has been documented.	The Quality Policies and the Quality Manuals, sample documents of specific procedures, etc.	The Quality Policies, the Quality Manuals, and documents indicating specific procedures have been created and have been appropriately managed.	The Quality Policies and the Quality Manuals have been created, and documents indicating specific procedures have also been created.	The Quality Policies and the Quality Manuals have been created.	Either the Quality Policies or the Quality Manual has been created.
(b)	Clarity of procedures for examination and quality management	To evaluate whether it is clearly stipulated who is to do what, and when, regarding examination and quality management, and to confirm whether specific procedures for the improvement of examination quality have been defined.	The procedural method and the flow for examination, quality management, etc.	The procedures and responsible persons for examination and quality management have been made sufficiently clear.	The procedures and responsible persons for examination and quality management have been made clear.	The procedures and responsible persons for examination and quality management have been generally made clear.	The procedures and responsible persons for examination and quality management have not been made clear.
(c)	Publication of the fundamental principles of quality management, etc. to users of IP systems and dissemination of such information to staff	<ul style="list-style-type: none"><li>To evaluate whether the fundamental principles of examination quality management that the JPO has formulated as a goal, and other relevant initiatives have been clearly shown to users of IP systems, including overseas users, and to confirm whether examination quality is allowed to be evaluated in relation to such fundamental principles.</li><li>To evaluate whether the fundamental principles of examination quality management that the JPO has formulated as a goal have been sufficiently disseminated to and understood by staff, and to confirm whether staff is allowed to conduct their works in accordance with them.</li></ul>	The status of publication, the methods of access, the status of dissemination to staff and their understanding, etc.	Policies and procedures on quality management have been published to the degree that users, including overseas users, can easily access, and have been disseminated through multiple methods to all staff members who engage in examination. Also, trainings have been provided regularly for staff, and the staff has well understood the content of the trainings.	Policies and procedures on quality management have been published to the degree that national users can easily access, and have been disseminated through multiple methods to all staff members who engage in examination.	Policies and procedures on quality management have been published and disseminated to all staff members who engage in examination.	Policies and procedures on quality management have not been published or disseminated to staff.

Items		Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
				Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
I. Have policies, procedures, and structures been established to achieve high-quality examination?							
(2) Have structures been established to achieve high-quality examination?							
(d)	Examination implementation system	To evaluate the form of organization that is in charge of examination, the number of examiners, etc., and to confirm whether or not to establish the world's highest level of implementation system of examination, while efficiently conducting the required number of examination cases.	The implementation system and the implementation status of examination, a comparison with other countries, etc.	While efficiently conducting the required number of examination cases, the JPO has established the world' highest level of organizational structure for examination and personnel deployment.	While efficiently conducting the required number of examination cases, the JPO has established internationally comparable level of organizational structure for examination and personnel deployment.	While efficiently conducting the required number of examination cases, the JPO has generally established internationally comparable level of organizational structure for examination and personnel deployment.	The JPO has not established internationally comparable level of organizational structure for examination and personnel deployment.
(e)	Quality management system	To evaluate the form of organization that is in charge of quality management, the number of staff responsible for quality management, etc., and to confirm whether or not to establish the efficient and effective, as well as the world's highest level of quality management system.	The quality management system, a comparison with other countries, etc.	At the world's highest level, initiatives for the quality management system have been efficiently and effectively planned, as well as the organizational structure and personnel deployment to implement such initiatives have been established.	At the internationally comparable level, initiatives for the quality management system have been efficiently and effectively planned, as well as the organizational structure and personnel deployment to implement such initiatives have been established.	At the internationally comparable level, initiatives for the quality management system have been efficiently and effectively planned, as well as the organizational structure and personnel deployment to implement such initiatives have been generally established.	At the internationally comparable level, initiatives for the quality management system neither have been efficiently and effectively planned, nor have the organizational structure and personnel deployment to implement such initiatives been established.
II. Has the quality management been implemented according to policies and procedures?							
(1) Has the quality management been appropriately implemented?							
(f)	Initiatives for quality improvement	To evaluate whether initiatives necessary for the improvement of examination quality have been planned, and specifically how and to what degree such initiatives have been implemented according to policies and procedures, and confirm whether the objectives of the initiatives have been achieved.	The status of checks of notices of reasons for refusal, etc. for quality assurance, the status of examiner consultations, quantitative data such as the number of interviews, etc.	Initiatives necessary for the improvement of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved, having effects that contribute to further improvement of quality.	Initiatives necessary for the improvement of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved.	Initiatives necessary for the improvement of quality have been planned and implemented mostly as planned.	Initiatives necessary for the improvement of quality have not been planned, or even if planned, they have not been implemented as planned.

Items		Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
				Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
(g)	Initiatives for quality verification	To evaluate whether initiatives necessary for the verification of examination quality have been planned, and specifically how and to what degree such initiatives have been implemented according to policies and procedures, and to confirm whether the objectives of such initiatives have been achieved.	The status of initiatives, including quality audits (sampling checks), user satisfaction surveys, and confirming discrepancy in judgment between examination decision and appeal/trial decision, quantitative data obtained from the results of such initiatives, etc.	Initiatives necessary for the verification of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved, having effects that contribute to further improvement of quality.	Initiatives necessary for the verification of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved.	Initiatives necessary for the verification of quality have been planned and implemented mostly as planned.	Initiatives necessary for the verification of quality have not been planned, or even if planned, they have not been implemented as planned.
(h)	Examination quality analysis and identification of issues	To evaluate specifically how examination quality has been analyzed and what kind of issues have been identified based on the results of the analysis, and to confirm whether the methods of analysis and the identification of issues have been appropriate.	The methods and results of analysis, and identified issues, etc. concerning quality of searches, quality of judgements in examinations, quality of descriptive content in notices of reasons for refusal, etc.	Analysis of examination quality and identification of issues have been conducted sufficiently and from a comprehensive perspective.	Analysis of examination quality and identification of issues have been conducted sufficiently.	Analysis of examination quality and identification of issues have been generally conducted.	Analysis of examination quality and identification of issues have not been conducted.
II. Has the quality management been implemented according to policies and procedures?							
(2) Has continuous improvement been appropriately implemented?							
(i)	Status of improvement of policies, procedures, and structures to achieve high-quality examination (evaluation items from (a) to (e))	To evaluate whether improvement has been specifically made on evaluation items from (a) to (e), and to confirm whether the status of improvement has been appropriate.	The status of revising the Quality Manuals, the implementation system of examination, the quality management system, etc.	Improvement in policies, procedures, and structures has been sufficiently made at an excellent level.	Improvement in policies, procedures, and structures has been sufficiently made.	Improvements in policies, procedures, and systems have been generally made.	Improvement in policies, procedures, and structures has not been made.

Items		Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
				Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
(j)	Status of improvement of quality management initiatives (evaluation items from (f) to (h))	To evaluate whether improvement has been made on evaluation items from (f) to (h), and to confirm whether the status of improvement has been appropriate.	The correlative relationship between analysis of examination quality/ identification of issues, and the improvement status of quality management initiatives	Improvement in quality management initiatives has been sufficiently conducted at an excellent level.	Improvement in quality management initiatives has been sufficiently conducted.	Improvement in quality management initiatives has been generally conducted.	Improvement in quality management initiatives has not been conducted.
III. Has information on initiatives for examination quality improvement been communicated?							
(k)	Communication of information on initiatives for examination quality improvement	To evaluate whether information on initiatives for examination quality improvement has been appropriately communicated, and to confirm whether the JPO's quality management has been well understood inside and outside Japan, efforts have been made to increase the presence of the JPO in the field of quality management, and as a result the trust has been gained.	The status of communication of information on initiatives for examination quality improvement, the status of meetings with overseas IP offices, etc. and the dispatch and acceptance of examiners, the status of PPH usage, etc.	Information on initiatives for examination quality improvement has been ambitiously communicated inside and outside Japan, and continuous cooperative relations with organizations and bodies inside and outside Japan have been built up.	Information on initiatives for examination quality improvement has been communicated inside and outside Japan, and cooperative relations with organizations and bodies inside and outside Japan have been built up.	Information on initiatives for examination quality improvement has been communicated inside and outside Japan.	Information on initiatives for examination quality improvement has not been communicated outside Japan.